



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-19M-1755

Criminal Section - PRB
930 Pennsylvania Avenue, NW
Washington, DC 20530

APR 12 2010

(b)(7)(C)

Atlanta, GA 30316

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Maeco Snipes, on July 18, 1946. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the men responsible for your family member's death, Edward Williamson is deceased, as is Lynwood Harvey, the only other person present when Mr. Snipes was shot. Please accept our sincere condolences on the loss of your family member.

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Snipes's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono

(b)(7)(C)

Fitzgerald

T, 04/12/10

(b)(7)(C)

As part of its review of the circumstances of Mr. Snipes's death, the FBI retrieved the 1946 FBI file relating to the shooting; interviewed you; contacted the Taylor County Sheriff's Department and the Georgia Bureau of Investigation; and conducted searches of Georgia death records.

According to our review, the day before the shooting, July 17, 1946, Mr. Snipes was the only African-American in the Rupert, Georgia, Voting District to vote in the gubernatorial primary election. Accordingly, in August 1946, the FBI investigated the shooting at the request of the Department of Justice to determine whether Mr. Snipes had been killed because he had exercised his right to vote.

(b)(7)(C) Mr. Snipes (b)(7)(C) told the FBI that (b)(7)(C) and (b)(7)(C) were (b)(7)(C) in the house with Mr. Snipes when Mr. Williamson and Mr. Harvey drove up and called Mr. Snipes out of the house. According to (b)(7)(C) there were three or four men in the car. (b)(7)(C) (b)(7)(C) stated that Mr. Snipes talked to the men and then (b)(7)(C) heard two shots, a pause, and then a (b)(7)(C) third shot. Mr. Snipes came back into the house, holding his arm. Mr. Snipes told (b)(7)(C) that Mr. Williamson had shot him because he had tried to get Mr. Snipes to work at a saw mill. (b)(7)(C) then went to find someone to take Mr. Snipes to the hospital. Mr. Snipes had been fatally wounded and died on July 20, 1946, at Montgomery Hospital in Butler. (b)(7)(C) said that when a (b)(7)(C) brought Mr. Snipes's clothes back from the hospital, (b)(7)(C) found a white (b)(7)(C) handled knife in a pocket.

(b)(7)(C) Mr. Snipes (b)(7)(C) told the FBI that (b)(7)(C) too, saw four white men in the car (b)(7)(C) that drove up to the house and that two of the men were Mr. Williamson and Mr. Harvey. Like (b)(7)(C) (b)(7)(C) heard three shots. (b)(7)(C) further confirmed that Mr. Snipes said that the men (b)(7)(C) had wanted him to work at the saw mill for several days and he could not. Mr. Snipes told (b)(7)(C) (b)(7)(C) that he had started back toward the house after one of the men reached for a gun. The men told Mr. Snipes not to run and then shot him.

Mr. Williamson told the FBI that, on July 18, 1946, he and Mr. Harvey drove to Mr. Snipes's home to collect a \$10 debt Mr. Snipes owed him. Mr. Williamson claimed that when he suggested to Mr. Snipes that Mr. Harvey pay the debt in exchange for Mr. Snipes working at Mr. Harvey's saw mill, Mr. Snipes refused the offer, pulled out a knife, ignored a warning to step back, and then stepped toward Mr. Williamson. At that point, Mr. Williamson, who was still sitting in the car, pulled a .32 caliber pistol from the glove compartment and fired two shots at Mr. Snipes, fatally wounding him.

Mr. Harvey gave the FBI a similar account of the shooting, except that Mr. Harvey said that Mr. Snipes took two steps back prior to pulling the knife out of his pocket. Moreover, Mr. Harvey did not confirm that Mr. Williamson warned Mr. Snipes to back away or that Mr. Snipes stepped forward before Mr. Williamson shot him.

On July 22, 1946, a Coroner's Jury in Butler ruled that Mr. Williamson noted in self-defense. In September 1946, the Department of Justice instructed the FBI to close their investigation, having concluded that all the available testimonial evidence indicated that "the shooting arose from a personal difference unrelated to the act of voting."

The FBI conducted searches of Georgia death records and obtained death certificates indicating that Mr. Williamson died on October 29, 1983, and Mr. Harvey died on March 20, 2003.

After careful review of this incident, we have concluded that in the unlikely event that additional investigation could identify the other man or men alleged to have been in the car with the now deceased Mr. Williamson and Mr. Harvey when Mr. Snipes was shot, we would be unable to establish that they were criminally liable for the actions of Mr. Williamson. Accordingly, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your family member.

Sincerely,

Paula M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PW:SW:mj
144-2-1426

Criminal Section - PFD
950 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

APR 28 2010

Montgomery, AL 36108

(b)(7)(C)

Montgomery, AL 36108

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your family member, Hilliard Brooks, on August 12, 1950. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the person responsible for Mr. Brooks's death, Marvin E. Mills, is deceased. Please accept our sincere condolences on the loss of your family member.

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death that "occurred not later than December 31, 1969."

cc: Records Chrono

(b)(7)(C)

Re: T. 04/08/10

(b)(7)(C)

The federal review concerning Mr. Brooks's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

As part of its review of the circumstances of Mr. Brooks's death, the FBI researched and reviewed media articles from 1950; obtained the file of the Montgomery Police Department (MPD), which conducted the local investigation; and conducted searches of Alabama death records.

According to our review, MPD Officer Marvin E. Mills fatally shot Willard Brooks on August 12, 1950. At the time of the shooting, a bus driver contacted Officer Mills and reported that Mr. Brooks was creating a disturbance on a public bus. Officer Mills stated that when he began to question Mr. Brooks, he came towards Officer Mills in an aggressive manner. Officer Mills pushed Mr. Brooks to the ground and warned him not to advance. Mr. Brooks got up, hit Officer Mills, and pulled the whistle and chain from Officer Mills's uniform shirt. Officer Mills fired a shot at Mr. Brooks, striking him in the abdomen. Mr. Brooks died from his injuries the following day.

The MPD Board concluded that Officer Mills acted in self-defense, but recommended that the case be turned over to the Circuit Solicitor of Montgomery County to be presented before a grand jury. Montgomery Mayor John Goodwyn concurred with this recommendation. However, the Alabama State District Attorney's Office has no record of any grand jury proceedings or criminal trials pertaining to the death of Mr. Brooks.

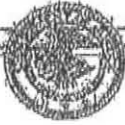
In addition to the findings described above, the federal investigation determined that Mr. Mills died on May 30, 1993.

After careful review of this incident, we have concluded that the now deceased Mr. Mills acted alone when he shot and killed Mr. Brooks and therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences on the loss of your family member.

Sincerely,

Patricia Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice

Civil Rights Division

MJK:PMP:SW:tc
144-17M-3164

Criminal Section - NYB
250 Pennsylvania Avenue, NW
Washington, DC 20530

JUL 15 2011

[REDACTED]
New Carrollton, MD 20784 [REDACTED]

Dear [REDACTED]:

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the deaths of your [REDACTED] Harry T. and Harriette V. Moore, due to injuries sustained when a bomb detonated underneath their home on December 25, 1931. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the persons who are likely responsible for your [REDACTED] deaths, Earl J. Brooklyn, Tillman H. Belyin, Joseph Cox, and Edward L. Spivey, are deceased. Please accept our sincere condolences on the loss of your parents.

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative," — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death that "occurred not later than December 31, 1969."

cc: Records

Chrono

[REDACTED]
Fitzgerald

T. 7/15/2011

[REDACTED]

The federal review concerning Mr. and Mrs. Moore's deaths was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

As part of its review of the circumstances of Mr. and Mrs. Moore's deaths, the FBI researched and reviewed media articles from 1951; obtained the FBI's 1955 investigative file; obtained the results of the 1978 joint investigation by the Brevard County Sheriff's Office (BCSO) and the Brevard County State Attorney's Office; obtained the results of the 1991 investigation by the Florida Department of Law Enforcement; and obtained the results of the 2004 investigation by the Florida Attorney General's Office of Civil Rights. The FBI's review of the previous investigations identified ten former members of the central Florida Ku Klux Klan who may have had pertinent information about the bombing. Further investigation involving interviews and research of death certificates revealed that eight of the potential witnesses were confirmed to be dead, and two were unable to be located, but suspected to be dead. An exhaustive review conducted by the FBI and attorneys from the Department of Justice Civil Rights Division did not produce any new leads.

According to our review, on the night of December 25, 1951, a bomb exploded under the house of Mr. and Mrs. Moore. The explosion killed Mr. Moore instantly. Mrs. Moore succumbed to her injuries nine days later. Harry Moore was an active participant in the early civil rights movement of the 20th century. He started the Brevard County chapter of the NAACP in 1934, and served as the NAACP's first statewide Executive Secretary. His civil rights advocacy was well known in the area. He spoke out against lynchings, police brutality, inequalities in the criminal justice system, and fought for voting rights and pay equality. Mr. and Mrs. Moore were teachers in the segregated public schools in Brevard County, Florida, from 1925 through 1946, the year that the school district did not renew their contracts -- a common tactic of intimidation used to silence those who fought for civil rights. Mr. Moore's civil rights advocacy made him a known target of the Klan.

While no arrests were ever made in the case, four subjects were implicated in the bombing, all known to be high ranking members within the Ku Klux Klan in the central region of Florida. The initial FBI investigation focusing on the Klan led to two primary subjects -- Earl J. Brooklyn and Tillman H. Belyin. Both men had a reputation for violence, having been expelled from the Klan Klaverns in Georgia for being too violent. Confidential informants told the FBI that both Brooklyn and Belyin had participated in beatings and bombings in the past. Informants further advised that during one Klan meeting, Brooklyn showed the other Klan members a sketch of the floor plan of the Moore's home, and was seeking others to join him in casing the home. Belyin was also present during this meeting, having arrived with Brooklyn. Months before the bombing, a witness identified Brooklyn and Belyin as being in a local store asking directions to

the Moore's home. Brooklyn could not account for his whereabouts on Christmas night. Additionally, an FBI informant who was a fellow Klan member stated that Brooklyn told him in early 1952 that he was out of dynamite, having used it all on his last job. Furthermore, Belvin was known to wear a size 6 shoe, and size 6-8 footprints were found at the scene of the explosion. Four days after the bombing, Belvin was able to pay off the balance of his mortgage.

Brooklyn and Belvin both died while the FBI's initial investigation was being conducted. Belvin died of natural causes in August 1952, and Brooklyn died of natural causes on December 25, 1952.

In 1978, Brevard County [REDACTED] reopened the investigation after attending a memorial service for Harry Moore. During the investigation, Edward L. Spivey called the sheriff's office on a number of occasions to complain about the renewed interest in a closed case. [REDACTED] discovered through their conversations with Spivey that he was a former high-ranking member of the Klan. On one occasion, [REDACTED] met with an ailing Spivey, and Spivey revealed the details of the bombing at the Moore's home on Christmas Night, 1951. Spivey stated further that his close friend, Joseph Cox, was responsible for detonating the dynamite under the Moore's bedroom. Spivey stated that Cox came to his house after being interviewed twice by the FBI and admitted that the Klan had paid him \$5,000 to kill Harry Moore. Cox claimed to have used the money to pay off his mortgage and said that he was afraid that the FBI was going to find out about his mortgage payment and his role in the bombing. Spivey insisted that Cox's actions were not sanctioned by the Klan. Joseph Cox committed suicide in March 1952, using a shotgun he had borrowed from Spivey. Spivey died of cancer in August 1980.

After careful review of this incident, we have concluded that the only subjects credibly linked to the bombing are Brooklyn, Belvin, Cox, and Spivey. Therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences on the loss of your [REDACTED] (b)(7)(C)

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:FF:CG
144-41-3581

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

APR 12 2010

(b)(7)(C)

Union Church, MS 39668

Dear (b)(7)(C)

(b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your [redacted], Lamar Smith, August 13, 1955. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the men responsible for your uncle's death, Noah Smith, Mack Smith, and Charles Falvey are deceased. Please accept our sincere condolences on the loss of your (b)(7)(C)

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Smith's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono Gamondl Fitzgerald T. 04/12/10
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As part of its review of the circumstances of your (b)(7)(C) death, the FBI retrieved from the 1935 FBI file relating to the shooting; contacted Mississippi law enforcement officials; conducted searches of the Mississippi Department of Archives and History (MDAH) and the University of Southern Mississippi library records; sent letters to the SPLC and the NAACP requesting information; and solicited information about the case via a press release that was published in local newspapers and broadcast on local television and radio stations.

According to our review, on the morning of August 13, 1935, Lamar Smith, who was active in voter registration drives, was shot and killed outside the Brookhaven, Mississippi, courthouse. Three white men, Noah Smith, Mack Smith, and Charles Falvey, were arrested for the shooting.

(b)(7)(C) Your (b)(7)(C) had worked on the campaign of a man running against the incumbent in a county supervisor race. The run-off election for the supervisor was to take place days after the shooting. As (b)(7)(C) told the FBI, three white men, likely Mr. Noah Smith, Mr. Mack Smith, and Mr. Falvey, brought whiskey to an African-American neighbor of your (b)(7)(C). (b)(7)(C) was instrumental in convincing your (b)(7)(C) to go to the Brookhaven courthouse on the day he was shot, thus leading you to believe that the three men had conspired to ambush your (b)(7)(C) that day.

According to an August 17, 1955 *Daily Worker* article, a state Coroner's Jury heard testimony for four hours on the night of August 16 and then ruled that Mr. Smith had died as a result "of a gunshot wound in an altercation with Noah Smith, Mack Smith and Charles Falvey and probably other parties unknown."

In September 1955, a state grand jury reportedly heard from 50 to 75 witnesses but adjourned before taking any action. According to media accounts, the witnesses denied seeing anything. In January 1956, Mike Carr, the newly elected local District Attorney empaneled another grand jury and subpoenaed several witnesses, but no new evidence was developed to support an indictment, despite indications that numerous people would have witnessed the murder.

Mr. Noah Smith died on June 17, 1975; Mr. Mack Smith died on September 14, 1992; and Mr. Falvey died on December 26, 1987.

After careful review of this incident, we have concluded that there is insufficient evidence to prove that anyone other than the now deceased Noah Smith, Mack Smith, and Mr. Falvey were responsible for your (b)(7)(C) death and therefore, we have no choice but to close our investigation.

- 3 -

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C)

Sincerely,

Dalge M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:KD
144-73-4749

Criminal Section - FBI
950 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

Tatum, Texas 75691

Dear (b)(7)(C)

(b)(7)(C) We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your [redacted] John Earl Reese on October 22, 1955. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the persons responsible for Mr. Reese's death, Perry Dean Ross and Joe Simpson, are deceased. Please accept our sincere condolences on the loss of your (b)(7)(C)

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Brennert Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Reese's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

As part of its review of the circumstances of Mr. Reese's death, the FBI researched and reviewed media articles from 1955 to 1957; obtained records from the Gregg County courthouse;

and retrieved archived records at the Department of Justice which monitored the local investigation and prosecution at the time.

According to our review, on October 22, 1955, John Earl Reese was a 16-year-old African-American youth who was dancing with friends in a café in rural Longview, Texas. Without warning, he was fatally injured by the gunfire sprayed from a car passing on the highway. Two other patrons of the café, (b)(7)(C) suffered minor gunshot wounds. That same night, gunmen targeted additional locations where any victims were likely to be African-American. At one location, (b)(7)(C) was praying at her bedside at her home when bullets came through the Venetian blinds and bullet fragments sprayed her face. Investigators found seven bullets, one embedded in a bedpost. At another, windows were shot out of a local school. And at yet another, mailboxes were damaged by bullet spray.

The Texas Rangers investigated, interviewing over 300 potential witnesses. Eventually, on February 2, 1956, Perry Dean Ross and Joe Simpson, two area Caucasian men, were indicted for committing Reese's murder. The defendants had been opposed to the integration of public schools. The district attorney dismissed the charges against Simpson in exchange for Simpson's testimony against Ross at trial. On April 23, 1956, a state jury found Ross guilty of murder and sentenced Ross to a two to five year suspended sentence.

A records search showed that in 1956, the FBI and the then Civil Rights Section of the Criminal Division of the Department of Justice opened a file regarding the shooting and monitored the local prosecution. Documents show that J. Edgar Hoover, the Director of the FBI, was in contact with the District Attorney of Longview, Texas, during the local investigation. In an effort to determine whether there was any federal jurisdiction, the incident was referred to the Postal Service because the shooters also had damaged some mailboxes. However, the Department concluded that there was no federal jurisdiction.

In addition to the findings described above, the federal investigation determined that Mr. Ross died on January 8, 1976, and Mr. Simpson on June 30, 1998.

After careful review of this incident, we have concluded that the now deceased Perry Dean Ross and Joe Simpson were the only two persons identified as being involved in the death of your

(b)(7)(C) Therefore, we have no choice but to close our investigation.

- 3 -

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C)

Sincerely,

Palgo M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-40-2146

Central Station - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

APR 12 2010

(b)(7)(C)

Drew, MS 38737

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your father, Clinton Melton, on December 3, 1953. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the person responsible for your (b)(7) death, Elmer Otis Kimbell, is deceased. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the Initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Melton's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono Camondi Fitzgerald T. 04/12/10
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As part of its review of the circumstances of Mr. Melton's death, the FBI interviewed two residents of the area, who were alive at the time of the shooting; contacted various Mississippi law enforcement and government officials; conducted searches of the Mississippi Department of Archives and History (MDAH), the University of Southern Mississippi library, and the Internet for relevant references and media articles; sent letters to the SPLC and the NAACP requesting information; and solicited information about the case via a press release that was published in local newspapers and broadcast on local television and radio stations.

According to our review, Elmer Otis Kimbell shot and killed Mr. Melton on December 3, 1955, at a Glendora, Mississippi, gas station where Mr. Melton was employed. Mr. Kimbell was charged and tried on a state murder charge.

At the trial, (b)(7)(C) testified that after Mr. Kimbell and Mr. Melton had an argument over the amount of gasoline Mr. Melton had pumped into Mr. Kimbell's car, Mr. Kimbell told (b)(7)(C) that he planned to go home, retrieve a gun, and come back to kill both Mr. Melton and (b)(7)(C). According to Mr. (b)(7)(C), Mr. Kimbell left and returned shortly thereafter. At that time, Mr. Melton was in his car, about to leave the station. (b)(7)(C) testified that Mr. Kimbell fired three shots through the front window of Mr. Melton's car. (b)(7)(C) waited a few minutes and then walked out to Mr. Melton's car, finding him slumped over in the front seat, dead. (b)(7)(C) stated that Mr. Melton was not armed and that (b)(7)(C) heard three shots.

(b)(7)(C)
(b)(7)(C)
Witness (b)(7)(C) stated that (b)(7)(C) heard Mr. Kimbell's shotgun shots, but did not see Mr. Melton holding a weapon. Like (b)(7)(C), (b)(7)(C) did not see the shooting, but saw Mr. Kimbell arrive with a gun. (b)(7)(C) asked Mr. Kimbell what he intended to do and Mr. Kimbell replied that he would kill Mr. Melton. (b)(7)(C) pleaded with Mr. Kimbell not to do so, but Mr. Kimbell threatened to kill (b)(7)(C) too if (b)(7)(C) did not retreat. No weapon was found on Mr. Melton's person or in his car.

At the trial, Mr. Kimbell admitted that the shooting occurred after an argument between him and Mr. Melton over the amount of gasoline Mr. Melton had pumped into his car. Mr. Kimbell claimed, however, that he shot Mr. Melton in self-defense after Mr. Melton shot at him three times, wounding him in the shoulder. (b)(7)(C) of Charleston, Mississippi, testified that, when he examined Mr. Kimbell the night of the shooting, he found a bullet wound in Mr. Kimbell's shoulder that had not been caused by close-range fire.

On March 13, 1956, an all-white, all-male jury acquitted Mr. Kimbell, despite the weight of the testimonial and physical evidence contradicting Mr. Kimbell's claim that he acted in self-defense. Mr. Kimbell died in February 1985.

After careful review of this incident, we have concluded that the now deceased Elmer Otis Kimbell acted alone when he shot and killed your (b)(7)(C) and therefore, we have no choice but to close our investigation.

- 3 -

We regret that we cannot be of further assistance to you. Again, please accept our sincere
condolences for the loss of your (b)(7)(C)

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-41-3567

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

MAY 24 2010

Alton, IL 62002

Dear (b)(7)(C)

(b)(7)(C) We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Jessie James Shelby, on January 21, 1956. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the persons responsible for your (b)(7)(C) death, Yazoo City Police Department (YCPD) Officer Jolly C. Thompson and Marlon Manor, are deceased. Please accept our sincere condolences on the loss of your (b)(7)(C)

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning your (b)(7)(C) death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono Gamondl Fitzgerald T.05/24/10
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As part of its review of the circumstances of your [redacted] death, the FBI interviewed [redacted] (b)(7)(E)
The FBI also contacted various Mississippi law enforcement and government officials; conducted searches of the records of the SPLC, the Mississippi Department of Archives and History (MDAH), the University of Southern Mississippi library, law enforcement databases, and the internet for relevant references and media articles; sent letters to both the SPLC and the NAACP requesting information; and solicited information about the case via a press release that was published in local newspapers and broadcast on local television and radio stations.

(b)(7)(C) According to our review, on January 21, 1956, YCPD Officer Thompson shot and killed your [redacted] outside the Silver Slipper night club in Yazoo City. [redacted] told the FBI that (b)(7)(C) (b)(7)(C)
(b)(7)(C) [redacted] death but that you heard that your [redacted] was at the Silver Slipper that night, dancing with an unidentified woman. You also heard that Officer Thompson, (b)(7)(C)
(b)(7)(C) who shot your [redacted] was dating the unidentified woman.

(b)(7)(C) According to a January 26, 1956, *Yazoo City Herald* newspaper article, Officers Thompson and Manor responded to a disturbance report at the Silver Slipper. The officers reportedly claimed that, upon arrival, (b)(7)(C) an African-American woman, reported to them that your [redacted] had beaten her. The article stated that Officer Thompson arrested your (b)(7)(C)
(b)(7)(C) [redacted] and began searching him for weapons. According to the article, Officer Thompson reported that, during the search, your [redacted] grabbed Officer Thompson's blackjack and began beating him with it, whereupon Officer Thompson shot your (b)(7)(C) in self-defense, fatally wounding him in the stomach.

According to the article, a local coroner's inquest was held on the afternoon of January 24, 1956. County Attorney Griffin Norquist was quoted as saying that four or five witnesses testified in the inquest and that none disputed Officer Thompson's account of self-defense. According to the article, both Officers Thompson and Manor testified that your [redacted] was shot (b)(7)(C)
when he resisted arrest and attacked Officer Thompson with Officer Thompson's own blackjack. The inquest resulted in a ruling of self-defense and justifiable homicide.

Officer Thompson died on February 14, 1983, and Officer Manor died on October 19, 1992.

The FBI attempted to locate (b)(7)(C) (the woman whose alleged complaint led to your (b)(7)(C) arrest) through telephonic contacts but the attempts were unsuccessful.

After careful review of this incident, we have concluded that the now deceased Officers Thompson and Manor were solely responsible for your (b)(7)(C) death and, therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C)

- 3 -

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
175-41-214

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

APR 16 2010

(b)(7)(C)

Jackson, MS 39206

Dear (b)(7)(C):

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Charles Brown, on June 18, 1957. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the person responsible for Mr. Brown's death, Ralford Walton, is deceased. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Brown's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono Gamondl Fitzgerald T. 04/13/10
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letters\Final\175_41_214_C.Brown.wpd

As part of its review of the circumstances of your (b)(7)(C) death, the FBI interviewed (b)(7)(C) (b)(7)(C) and Mr. Walton's (b)(7)(C). The FBI also contacted various Mississippi law enforcement and government officials; conducted searches of the Mississippi Department of Archives and History (MDAH), the archives of the *Yazoo City Herald*, the University of Southern Mississippi library records, and the internet for relevant references and articles; sent letters to the SPLC and the NAACP requesting information; and solicited information about the case via a press release that was published in local newspapers and broadcast on local television and radio stations.

According to our review, on June 18, 1957, Mr. Brown was shot and killed by Mr. Walton in the home that Mr. Walton shared with his (b)(7)(C) and family in Benton, Mississippi. Mr. Brown was a long-time acquaintance of (b)(7)(C) and had worked as a farmhand for (b)(7)(C).

(b)(7)(C) were interviewed by the FBI and stated that (b)(7)(C) had heard from an unidentified source or sources that Mr. Walton had caught (b)(7)(C) (b)(7)(C) "in some action" and decided to lure Mr. Brown to the (b)(7)(C) home to kill him. Mr. Brown was invited to dinner by (b)(7)(C) on the night of his death. Also present were (b)(7)(C) (b)(7)(C) told (b)(7)(C) that Mr. Walton had knocked on the door and when (b)(7)(C) opened it, Mr. Walton entered and shot (b)(7)(C) with a shotgun. (b)(7)(C) also stated that the local prosecutor never consulted with (b)(7)(C) concerning any effort to prosecute Mr. Walton.

(b)(7)(C) told the FBI that (b)(7)(C) was in (b)(7)(C) home when Mr. Walton entered the kitchen and fired at Mr. Brown with a shotgun, and then ran out of the home. According to (b)(7)(C) (b)(7)(C) (b)(7)(C) was also in the (b)(7)(C) residence at the time of the shooting.

The FBI case agents contacted (b)(7)(C) who stated that although (b)(7)(C) was still alive, (b)(7)(C) was too critically ill to be interviewed. (b)(7)(C) confirmed (b)(7)(C) statement that (b)(7)(C) was at the (b)(7)(C) residence when Mr. Brown was shot. (b)(7)(C) reportedly told (b)(7)(C) that (b)(7)(C) thought it a shame that the murder had been covered up.

Mr. Walton, then a 50-year-old farmer, who had been previously incarcerated for the manslaughter of his son-in-law, admitted that he shot Mr. Brown in the heart with a shotgun as the victim sat in (b)(7)(C) dining room. Mr. Walton claimed that he shot Mr. Brown because Mr. Brown had been "too friendly" with (b)(7)(C) while her (b)(7)(C) was out-of-town.

Mr. Walton died on July 14, 1963.

- 3 -

After careful review of this incident, we have concluded that the now deceased Mr. Walton acted alone when he shot and killed your (b)(7)(C) and therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C)

Sincerely,

Patricia M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-19M-1753

Criminal Section - PRD
250 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

APR 06 2009

Albany, GA 31701

Dear (b)(7)(C)

(b)(7)(C) We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) James Brazier, on April 20, 1958. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the individuals (b)(7)(C) responsible for your (b)(7)(C) death, Dawson, Georgia; Police Department (DPD) Officers Weyman Cherry and Randolph McDonald, are deceased. Please accept our sincere condolences on the loss of your (b)(7)(C)

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" -- a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Brazier's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono

(b)(7)(C)

T. 04/12/10

(b)(7)(C)

As part of its review of the circumstances of Mr. Brazler's death, the FBI retrieved from the National Archives and Records Administration (NARA) the 1958 FBI file relating to the incident; interviewed current DPD and other law enforcement officials; and conducted searches of Georgia death records.

According to our review, on April 20, 1958, DPD Officers Weyman Cherry and Randolph McDonald arrested James Brazler for "interfering" with the earlier arrest of (b)(7)(C) (b)(7)(C).

Officer Cherry admitted that he struck Mr. Brazler on the head with a "blackjack," during the arrest, but he claimed that he acted in self-defense because Mr. Brazler resisted arrest by swinging at him and Officer McDonald. Officer McDonald similarly stated that the victim resisted being placed in the patrol car and tried to strike both him and Officer Cherry. According to Officer McDonald, Officer Cherry struck Mr. Brazler on the head with the blackjack three or four times.

(b)(7)(C) Mr. Brazler (b)(7)(C) witnessed Mr. Brazler's arrest and stated that Officer Cherry struck Mr. Brazler with the blackjack solely because Mr. Brazler protested his innocence. According to (b)(7)(C) after Officer Cherry handcuffed Mr. Brazler, he drew his pistol, put it in Mr. Brazler's mouth, said, "I ought to kill you," and then struck Mr. Brazler in the face with the gun. As Mr. Brazler was getting into the patrol car, Officer Cherry kicked him twice and then tried to slam the door on Mr. Brazler's legs. Nine other witnesses stated that at no point did Mr. Brazler resist arrest or attempt to escape.

Officers Cherry and McDonald took Mr. Brazler to the Terrell County Jail where, later that night, Mr. Brazler was examined by (b)(7)(C) discovered blood in Mr. Brazler's left ear and recommended that he be placed in a private cell and woken up every two hours. When Mr. Brazler was taken to court on the morning of April 21, 1958, he was not able to respond to the judge's questions. His case was continued and he was released to his family. Mr. Brazler was taken first to a local hospital, where x-rays revealed a skull fracture. He was then transported to the Georgia Medical Center in Columbus where, on April 25, 1958, he died after undergoing brain surgery. An autopsy determined that Mr. Brazler died as a result of head trauma.

On April 23, 1958, the FBI opened an investigation into Mr. Brazler's death, after receiving a complaint from (b)(7)(C). Following that investigation, the Department of Justice presented criminal civil rights charges against the officers to a federal grand jury in August 1958. The grand jury did not indict either officer despite the fact that ten witnesses interviewed by the FBI contradicted the officers' claims that Officer Cherry struck Mr. Brazler in defense of himself and Officer McDonald after Mr. Brazler resisted arrest, and knowledge that Officer Cherry fatally shot another African-American man about a month after killing Mr. Brazler, under similarly suspicious circumstances.

The FBI determined that Officer Cherry died on October 25, 1970 and Officer McDonald died on June 17, 1993.

After careful review of this incident, we have concluded that the now deceased Weyman Cherry and Randolph McDonald were the only individuals involved in your (b)(7)(C) death and therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C).

Sincerely,

Dalga M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

RM:PF:KD
144-70-1957

(b)(7)(C)

Oxon Hill, MD 20745

Dear

(b)(7)(C)

(b)(7)(C) We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your [redacted] John (Larry) Bolden, on May 3, 1958. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the person responsible for Mr. Bolden's death, W. H. Taylor, is deceased. In addition, Lester Lee Shell, the officer with Officer Taylor at the time, also is deceased. Please accept our sincere condolences on the loss of your (b)(7)(C)

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Bolden's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an

experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

As part of its review of the circumstances of Mr. Bolden's death, the FBI researched and reviewed media articles from 1958 and 1959, and obtained a contemporaneous newspaper article dated May 5, 1958, describing portions of the above incident. The FBI located a copy of the county court file for the criminal case in which the officer was charged, as well as a copy of the coroner's presentment from the Hamilton County Medical Examiner's Office. According to the FBI investigation, neither the District Attorney's Office of Hamilton County, Tennessee, nor the City Court had any existing records for the incident.

(b)(7)(C) According to our review, on May 3, 1958, John (Larry) Bolden was a 15-year-old high school student. The incident began when a resident complained she was being "annoyed" by the sound of nearby youths. Officer Taylor and his partner, Lester Lee Shell, responded, and encountered your [redacted] you and a friend, Henry Spencer. Officer Shell was communicating with Mr. Spencer and you, while Officer Taylor was involved in an encounter with your brother. According to Officer Taylor, Mr. Bolden "jumped" him. The officer then used a nightstick to strike Mr. Bolden, who responded by throwing a trash can at the officer. In response, the officer fired his gun three times, striking Mr. Bolden in the chest. Your brother died in the hospital the next day.

According to the account in the file, you reported that the officer slapped your [redacted] in the face and then hit him in the head with a club, and that Officer Shell also hit your [redacted] with his club. [redacted] corroborated your account.

The Coroner issued a presentment alleging that Mr. Bolden died as a result of having been shot by the subject, after he apparently picked up a trash can and attempted to strike the officer with it. According to the presentment, the cause of death was a bullet wound through his heart. Documents in a county court file indicate that several residents and police officers were summoned to testify before the Hamilton County grand jury. The officer was then charged with voluntary manslaughter in the Hamilton County Criminal Court and was tried by a jury. Based on the jury instructions read by the judge, it appears that the officer testified at the trial and claimed he shot in self-defense. The jury found him not guilty.

In addition to the findings described above, after searching the relevant Tennessee databases, the FBI obtained a death certificate for W.H. Taylor reflecting his death from natural causes on January 16, 1975. The FBI also obtained the death certificate for Lester Lee Shell, the officer's partner, who died from natural causes on May 9, 1997.

After reviewing this incident, we have concluded that there were no other participants in the incident in which Mr. Bolden died. Therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(D)

Sincerely,

Paige Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RMHFT:CG
144-19M-1731

Criminal Section - PHA
920 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

APR 08 2009

Jacksonville, FL 32206

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your family member, Willie Countryman, on May 25, 1958. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the individuals responsible for Mr. Countryman's death, Dawson, Georgia, Police Department (DPD) Officers Weyman Cherry and Robert Hancock, are deceased. Please accept our sincere condolences on the loss of your family member.

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" - a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Countryman's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono

(b)(7)(C)

T. 04/12/10

(b)(7)(C)

As part of its review of the circumstances of Mr. Countryman's death, the FBI retrieved from the National Archives and Records Administration (NARA) the 1958 FBI file relating to the incident; interviewed current DPD and other law enforcement officials; and conducted searches of Georgia death records.

According to our review, on May 25, 1958, at about 1:30 a.m., DPD Officers Weyman Cherry and Robert Hancock entered Mr. Countryman's yard, reportedly to investigate a suspicious noise.

(b)(7)(C) was interviewed by the FBI in 1958. (b)(7)(C) stated that on the night of the shooting, (b)(7)(C) was standing with Mr. Countryman outside his house. At some point, they heard what sounded like someone urinating in the back yard. Mr. Countryman went to investigate the sound. (b)(7)(C) stated that (b)(7)(C) heard Mr. Countryman say something to the effect of, "I'm sorry, I didn't know it was you all." (b)(7)(C) then heard something fall followed by the sound of a gunshot.

Officer Cherry was also interviewed by the FBI. He claimed that Mr. Countryman jumped from behind a tree and cut Officer Cherry's cap with a knife and that Officer Cherry broke free and shot Mr. Countryman, fatally wounding him in the stomach.

Officer Cherry claimed that after Mr. Countryman was placed in an ambulance, DPD (b)(7)(C) picked up Mr. Countryman's knife. (b)(7)(C) told the FBI that he took the knife from the scene, but he claimed that he could not locate it at the station and that Officer Cherry might have had it. When questioned by the FBI, Officer Cherry said that he was in possession of the knife but, after checking two desks at the station, he also failed to locate it and claimed that it must have been at his home.

Officer Hancock stated that he was about 15 to 20 feet ahead of Officer Cherry as they moved through Mr. Countryman's property. Officer Hancock heard a commotion, turned, and saw someone lunging at Officer Cherry, whereupon Officer Cherry fired and the person fell to the ground. Officer Hancock stated that he did not see the knife.

Two employees of Moore's funeral home who transported Mr. Countryman in the ambulance gave contradictory statements concerning the knife.

Mr. Countryman (b)(7)(C)

Three of Mr. Countryman's relatives were interviewed by the FBI and all stated that they had never known Mr. Countryman to carry a knife.

On May 26, 1938, the day after the shooting, a local Coroner's Inquest was held and the jury acquitted Officer Cherry, ruling that he acted in self-defense. Two days later, on May 28, 1938, the FBI opened an investigation into the shooting, after receiving a complaint from (b)(7)(C) (b)(7)(C)

Grand Lodge, Free and Accepted Masons. Following that investigation, the Department of Justice presented criminal civil rights charges against the officers to a federal grand jury in August 1938. Despite the discrepancies in the testimonial and physical evidence regarding Officer Cherry's claim of self-defense, and the fact that Officer Cherry was responsible for the death of another African-American man about a month prior to his shooting Mr. Countryman, the grand jury did not indict either officer.

The FBI determined that Officer Cherry died on October 25, 1970 and Officer Hancock died on October 8, 1991.

After careful review of this incident, we have concluded that the now deceased Weyman Cherry and Robert Hancock were the only individuals involved in Mr. Countryman's death and therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your family member.

Sincerely,

Duane M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:KD
144-71-1019

Criminal Section - PHH
930 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

Nashville, TN 37209

Dear

(b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Richard Lillard, on July 20, 1958. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the persons responsible for Mr. Lillard's death, John Burnett, Lucian DeBow, Jr. and Patterson Clark, are deceased. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Lillard's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

As part of its review of the circumstances of Mr. Lillard's death, the FBI researched and reviewed media articles from 1958 and 1959, and conducted searches of Tennessee death records.

According to our review, on July 20, 1958, Mr. Lillard was 38 years old and an inmate of the Nashville City Workhouse in Nashville, Tennessee. On that day, he was fatally beaten by three law enforcement officers at the workhouse, Superintendent John William Burnett, and Officers Luolen Harris Dobow and Clark Patterson. The autopsy report showed that Mr. Lillard's injuries included eight lacerations and three fractures, and that the cause of his death was hemorrhage, shock and cerebral concussion.

The three officers were charged with murder and tried by an all-white, all-male jury. The defendants claimed that Mr. Lillard had to be subdued after he obtained a blackjack and a broom handle. During the trial, (b)(7)(C) testified that Mr. Lillard did have the blackjack and broom handle, and had been acting oddly. (b)(7)(C) also testified that Superintendent Burnett ordered every inmate in lockdown and then entered Mr. Lillard's cell with a "long dog stick." (b)(7)(C) then saw the officers retrieve the blackjack but continue to strike Mr. Lillard. On January 16, 1959, the jury acquitted the defendants.

After reviewing this incident, we have concluded that there were no other participants in the incident in which Mr. Lillard died. Therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C).

Sincerely,

Palge Fitzgerald
Deputy Chief in Charge
Cold Case Initiative
Civil Rights Division
Criminal Section

(b)(7)(C)



U.S. Department of Justice
Civil Rights Division

RM:FCG
144-19-2766

Criminal Section - PHD
970 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

MAY 02 2010

Decatur, GA 30032

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Joseph Franklin Jeter, Sr., on September 13, 1958. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the men responsible for Mr. Jeter's death, Atlanta Police Department (APD) Officer W.O. Dempsey, Lieutenant Ellis Barrett, Officer Ned C. Oliver, Officer Andrew W. Jones, and Officer David R. Turner, are deceased. Please accept our sincere condolences on the loss of your

(b)(7)(C)

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 36 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Jeter's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono

(b)(7)(C)

Fitzgerald

T. 04/22/10

(b)(7)(C)

As part of its review of the circumstances of Mr. Jeter's death, the FBI obtained the APD investigative file, the personnel files for all officers except Officer Dempsey, and a number of contemporaneous newspaper articles. The FBI also conducted searches of Georgia death records and various databases, and contacted (b)(7)(C) Officer Turner's son.

According to our review, APD Officer Dempsey fatally shot Mr. Jeter on September 13, 1958. Shortly before the shooting, Officer Dempsey, Lt. Barrett, Officer Oliver, Officer Jones, and Officer Turner responded to a report of a man, later identified as (b)(7)(C) pointing a gun inside a drugstore. The drugstore was located near the Perry Homes housing project. Shortly after arrival, the officers arrested (b)(7)(C). At that point, a neighborhood crowd began to form around the officers and (b)(7)(C).

Numerous witnesses gave statements to the APD concerning the events that followed (b)(7)(C) arrest. The majority of the witnesses stated that the officers beat (b)(7)(C) after arresting him and when a woman from the crowd, (b)(7)(C) protested, they began beating her too. The (b)(7)(C) (b)(7)(C) approached the officers in attempt to intervene and stop them from beating (b)(7)(C). An officer grabbed (b)(7)(C) around the neck and lifted him off the ground, while another officer struck him. Mr. Jeter started to cross the street toward the officers to explain that (b)(7)(C) was the housing (b)(7)(C). At that point, an officer, likely Officer Oliver, crossed the street and pushed Mr. Jeter backwards, and Officer Dempsey then shot Mr. Jeter.

The officers reported that when they arrested (b)(7)(C) and placed him in a patrol car, a very large crowd approached and began yelling at them. Among them was (b)(7)(C). Mr. Jeter (b)(7)(C). The officers claimed that when Officer Oliver attempted to arrest him, Mr. Jeter struck Officer Oliver from behind, knocking him to the ground. According to the officers, Mr. Jeter, (b)(7)(C) jumped on top of Officer Oliver. Believing that Mr. Jeter was trying to take Officer Oliver's service weapon, Officer Dempsey shot and fatally wounded him.

The matter was presented to a Fulton County grand jury that heard testimony from about 30 witnesses over the course of ten days. On September 30, 1958, the grand jury announced that it had declined to indict Officer Dempsey, determining that he had acted in defense of himself and his fellow officers.

In addition to the findings described above, the federal investigation determined that Officer Dempsey died on September 17, 1993; Officer Jones died on November 9, 1994; Officer Oliver died on July 25, 1996; Lt. Barrett died on November 23, 2003; and Officer Turner died in February 1978.

" 3 "

After careful review of this incident, we have concluded that the now deceased Officers Dempsey, Oliver, Jones, Turner, and Lt. Barrett were solely responsible for your (b)(7)(C) death and therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C)

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:FF:CC
144-41-3363

Criminal Section - PHD
250 Pennsylvania Avenue, NW
Washington, DC 20530

APR 16 2010

(b)(7)(C)

Boston, MA 02114

Dear (b)(7)(C) of Luther Jackson:

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Luther Jackson, on October 25, 1959. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the man the investigation determined to be responsible for your (b)(7)(C) death, Philadelphia, Mississippi, Police Department (PPD) Officer Lawrence Rainey, is deceased. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" -- a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 36 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

cc: Records Chrono Diamond Fitzgerald W. 04/12/10
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The federal review concerning Mr. Jackson's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

As part of its review of the circumstances of your family member's death, the FBI interviewed several of his living family members. The FBI also interviewed former PPD (b)(7)(C) (b)(7)(C) identified in a contemporaneous news article as having witnessed the shooting. The FBI case agent contacted various Mississippi law enforcement and government officials; conducted searches of the FBI records, Mississippi Department of Archives and History (MDAH), the City of Philadelphia archived records, the University of Southern Mississippi library, and the Internet for relevant references and media articles; sent letters to the SPLC and the NAACP requesting information; and solicited information about the case via a press release that was published in local newspapers and broadcast on local television and radio stations.

According to our review, on the night of October 25, 1959, Luther Jackson was shot and killed. According to (b)(7)(C) of Mr. Jackson's, various newspaper articles, and PPD Officer Lawrence Rainey himself, Officer Rainey shot Mr. Jackson during a traffic stop. (b)(7)(C) who was arrested at the scene of Mr. Jackson's shooting, gave a sworn affidavit on October 29, 1959. (b)(7)(C) said that sometime between 10:00 and 10:30 p.m. on October 25, (b)(7)(C) and Mr. Jackson were in a car parked on Pine Street in Philadelphia. Officer Rainey drove by in his patrol car and stopped. Officer Rainey ordered Mr. Jackson and (b)(7)(C) to exit their car. Mr. Jackson exited first and Officer Rainey pushed him out of sight of (b)(7)(C). (b)(7)(C) was also exiting the car when (b)(7)(C) heard a gunshot. (b)(7)(C) started walking in the direction taken by Officer Rainey and Mr. Jackson and then heard a second shot. When (b)(7)(C) reached Mr. Jackson, he was lying dead in a ditch.

Officer Rainey claimed that he and another officer, identified in one newspaper article as (b)(7)(C) and in two others as Chief Richardson, attempted to arrest Mr. Jackson after finding him drunk and slumped over in the driver's seat of his car. Officer Rainey claimed further that Mr. Jackson resisted arrest and was choking him when Officer Rainey fired two shots at him. Officer Rainey died in November 2002. (b)(7)(C) denied having witnessed the shooting and Chief Richardson died in January 1967.

It is our understanding that (b)(7)(C) came to believe that Officer Rainey did not kill your (b)(7)(C). Rather, (b)(7)(C) told the FBI (b)(7)(C) Barthy Culberson, a cousin of Mr. Jackson's by marriage, shot him. Mr. Culberson was reportedly involved in various illegal activities, including running gambling and prostitution rings and selling contraband alcohol. (b)(7)(C) believe that Officer Rainey took responsibility for the shooting because Mr. Culberson had connections in the PPD, and more specifically with Officer Rainey, providing Officer Rainey with prostitutes and alcohol in return for receiving early warnings of any impending police investigation of his activities. We did not find additional corroboration for this theory. Mr. Culberson died in January 1994.

- 3 -

After careful review of this incident, we have concluded that whether it was Officer Rainey or Mr. Culberson who killed your (b)(7) neither could be prosecuted as both are now deceased. Accordingly, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C)

Sincerely,

Palgo Fitagorala
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-41-3587

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

APR 16 2010

Kenner, LA 70062

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Herbert Lee, on September 23, 1961. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the person responsible for your (b)(7)(C) death, Eugene Hurst, is deceased. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Lee's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings:

cc: Records Chrono Gamondi Fitzgerald T. 04/13/10
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As part of its review of the circumstances of your (b)(7)(C) death, the FBI retrieved the 1961 FBI file relating to the shooting; contacted Mississippi law enforcement officials; conducted searches of the Mississippi Department of Archives and History (MDAH), the University of Southern Mississippi library, and the internet for relevant references and media articles; sent letters to the SPLC and the NAACP requesting information; and solicited information about the case via a press release that was published in local newspapers and broadcast on local television and radio stations.

According to our review, on September 25, 1961, Herbert Lee was shot and killed at Westbrook's Cotton Gin in Liberty, Mississippi, by Eugene Hurst, a Mississippi state representative.

A state coroner's inquest was held inside the cotton gin office within about an hour of the shooting and (b)(7)(C). Louis Allen, (b)(7)(C) (b)(7)(C) Mr. Allen, (b)(7)(C) all stated that they saw Mr. Lee threaten Mr. Hurst with a tire iron prior to the shooting. (b)(7)(C) stated that his view of Mr. Lee's and Mr. Hurst's lower bodies was obstructed at the time of the shooting, but he did see Mr. Hurst strike Mr. Lee in the head. (b)(7)(C) similarly testified that his view was obstructed, but he heard Mr. Hurst tell Mr. Lee to put down the tire iron shortly before the shooting.

(b)(7)(C) and five Coroner's Jurors (b)(7)(C) (b)(7)(C) told the FBI that a tire iron was recovered from under Mr. Lee's body at some point prior, during, or immediately after the inquest. However, (b)(7)(C) told the FBI that they saw Mr. Lee's body being turned over and there was no tire iron underneath. Dr. C.L. Delaney, who examined Mr. Lee's body at the scene and testified during the inquest, told the FBI that he did not see a tire iron but he also did not see Mr. Lee's body being turned over.

Mr. Hurst stated that he and Mr. Lee argued over an outstanding debt and that Mr. Lee swung a tire iron at him. Mr. Hurst responded by striking Mr. Lee in the head with a .38 caliber revolver, causing it to fire and kill Mr. Lee.

The coroner's jury found that Mr. Hurst had acted in self-defense. The local District Attorney charged Hurst with murder and a preliminary hearing was held the day after the shooting. (b)(7)(C) testified and reiterated their prior testimony. Like the coroner's jury, the two justices of the peace presiding over the hearing found that Mr. Hurst had acted in self-defense.

Mr. Allen later told the FBI that he had not seen Mr. Lee holding a tire iron. In his first interview, Mr. Allen told the FBI that he had lied during the inquest because he wanted his testimony to conform with the other witnesses' accounts. In a later interview, Mr. Allen said that he had felt threatened by (b)(7)(C)

Mr. Hurst died on April 20, 1990.

After careful review of this incident, we have concluded that the now deceased Eugene Hurst acted alone when he shot and killed your (b)(7)(C) and therefore, we have no choice but to close our investigation.

~~We regret that we cannot be of further assistance to you. Again, please accept our sincere~~
condolences for the loss of your (b)(7)(C).

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-41-3580

Criminal Section - PHB
250 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

APR 12 2010

Joliet, IL 60433

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Corporal Roman Ducksworth, Jr., on April 9, 1962. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the person responsible for Cpl. Ducksworth's death, Taylorsville, Mississippi, Police Department (TPD) Officer William Kelly, is deceased. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Cpl. Ducksworth's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono Gamondi Fitzgerald T, 04/12/10
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As part of its review of the circumstances of your (b)(7)(C) death, the FBI interviewed you. The FBI also contacted various Mississippi law enforcement and government officials; conducted searches of the FBI records, the University of Southern Mississippi library, and the Internet for relevant references and media articles; sent letters to the SPLC and the NAACP requesting information; and solicited information about the case via a press release that was published in local newspapers and broadcast on local television and radio stations.

According to our review, on April 9, 1962, TPD Officer William Kelly shot and killed Cpl. Roman Ducksworth, Jr. As you know, Cpl. Ducksworth had taken a number of buses from his post in Fort Riche, Maryland, to Taylorsville, Mississippi, on emergency leave to be with you and your newborn child. Cpl. Ducksworth was sleeping as the bus he had boarded in Jackson pulled into Taylorsville. According to witness (b)(7)(C) the bus driver, (b)(7)(C) summoned Officer Kelly when he was unable to wake Cpl. Ducksworth. At that point, Officer Kelly boarded the bus and, according to (b)(7)(C) began slapping Cpl. Ducksworth to wake him and then escorted him off the bus. Once off the bus, Cpl. Ducksworth struck Officer Kelly repeatedly and Officer Kelly reacted by striking Cpl. Ducksworth on the head with a "blackjack." Officer Kelly then fired a shot into the ground and a second, fatal shot at Cpl. Ducksworth.

On April 10 or 12, 1962, a local grand jury heard testimony concerning the shooting. Officer Kelly claimed in the grand jury that he tried to arrest Cpl. Ducksworth, who resisted. Officer Kelly acknowledged that he struck Cpl. Ducksworth several times with his blackjack but claimed that Cpl. Ducksworth was not affected. According to Officer Kelly, he drew his gun and fired a warning shot into the ground because Cpl. Ducksworth used a Judo strike on him. Officer Kelly claimed further that Cpl. Ducksworth said something to the effect of, "that's no good," and tried to grab Officer Kelly's gun. It was then that Officer Kelly fired the fatal shot at Cpl. Ducksworth.

The local grand jury declined to indict Officer Kelly. According to an internet article on tolerance.org and an NAACP document, Officer Kelly sent a message to your (b)(7)(C) stating, "If I'd known it was your son I wouldn't have shot him." Officer Kelly died in September 2004.

After careful review of this incident, we have concluded that the now deceased Officer Kelly acted alone when he shot and killed your husband and therefore, we have no choice but to close our investigation.

- 3 -

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C)

Sincerely,

Deige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-19M-1756

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

Macon, GA 31204

Dear

(b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of (b)(7)(C) A.C. Hall, on October 13, 1962. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the applicable five-year statute of limitations has expired and because, even if not barred by the statute of limitations, there is insufficient evidence to prove a violation of the relevant federal criminal civil rights statutes, beyond a reasonable doubt. Please accept our sincere condolences on the loss of (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning the deaths of your cousin was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono Gamondi T. 07/27/11
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As part of its review of the circumstances of the death of (b)(7)(C) the FBI retrieved from the National Archives and Records Administration (NARA) the 1962 FBI file relating to the case; interviewed one the officers who shot (b)(7)(C) former Macon Police Department (MPD) (b)(7)(C) and two civilian witnesses; contacted various Georgia officials; and conducted searches of the Bibb County Court records, the Bibb County Library, and Georgia death records.

According to our review, on the night of October 13, 1962, (b)(7)(C) who was 17 years old at the time, was shot and killed by MPD Officers James L. Durden and (b)(7)(C). The officers claimed that they fired at Mr. Hall, who ran from them and who they believed to be armed, when he turned toward them and appeared to reach for a weapon.

The incident began sometime after 9:00 p.m., when the officers responded to a complaint from a married couple (the couple) that (b)(7)(C) had seen an African-American man exit their car and that, shortly thereafter, (b)(7)(C) discovered that a gun was missing from the glove compartment. When the officers responded to the complaint, (b)(7)(C) told them that (b)(7)(C) would be able to identify the alleged thief. The couple got into the back seat of the officers' patrol car which was driven by (b)(7)(C) while Officer Durden sat in the front passenger seat. They drove a short distance and eventually to the rear of the G.W. Carver elementary school (the school) on Hazel Street.

At about the same time, Mr. Hall and a 16-year-old friend were walking to a friend's home, and stopped at the school yard so that Mr. Hall's could remove dirt from inside her shoes.

In 1962, the officers and the couple stated that Mr. Hall ran across the headlights of the patrol car, whereupon (b)(7)(C) recognized him as the person (b)(7)(C) had earlier seen exiting their car and said, "that's him!" The officers and the couple stated further that one or both the officers yelled at Mr. Hall to stop but he did not comply. According to the officers, when Mr. Hall ran over a dirt mound, (b)(7)(C) stopped the car at the edge of the mound. At that point, Mr. Hall turned toward the car and pulled his right arm from behind his back. It was then that first Officer Durden, and then (b)(7)(C) started firing at Mr. Hall. Officer Durden fired two shots and (b)(7)(C) five. Mr. Hall continued running but eventually fell to the ground, having been fatally wounded. The couple confirmed that Mr. Hall turned and pulled an arm from behind his back. Neither the officers nor the couple stated that they saw something in Mr. Hall's hand, however.

The FBI determined that Officer Durden died on September 24, 2009. (b)(7)(C) was interviewed by the FBI in 2011. (b)(7)(C) who was (b)(7)(C) years-old at the time of his interview, could not remember many of the details of the shooting, but (b)(7)(C) gave an account generally consistent with (b)(7)(C) 1962 account. In particular, (b)(7)(C) recalled firing at Mr. Hall after Mr. Hall turned toward the officers and pulled a gun and Officer Durden warned him that Mr. Hall was about to shoot the officers.

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We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of (b) (7)(C)

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-41-3574

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

MAY 02 2010

Canton, MS 39046

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7) Sylvester Maxwell, on January 5, 1963. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because there is insufficient evidence to indicate that a racially motivated homicide occurred and because the person responsible for your brother's death, Thomas William Campbell, is deceased. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning your (b)(7)(C) death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono Gamondi Fitzgerald T, 04/30/10
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This matter was originally referred from the SPLC in the form of two newspaper clippings. According to an *Atlanta Daily World* article and another unidentified clipping, the castrated and badly mutilated body of your (b)(7)(C) was found by his (b)(7)(C) in a wooded area near Highway 51 in Canton, Mississippi, on January 17, 1963. According to the article, your (b)(7)(C) friend, Thomas William Campbell, with whom your (b)(7)(C) had last been seen alive, was arrested for the murder. Mississippi NAACP director Medgar Evers was quoted in the *Atlanta Daily World* article as opining that the murder was a "probable lynching" because African-Americans "don't mutilate the body [...] That's done by bigots who normally take [African-Americans] out and mob them."

(b)(7)(C) As part of its review of the circumstances of your (b)(7)(C) death, the FBI interviewed (b)(7)(C) The FBI also contacted Mississippi agency officials, sent letters to the SPLC and the NAACP; conducted searches of the internet, the Mississippi Department of Archives and History (MDAH), and the records of the SPLC and the University of Southern Mississippi library; and solicited information about the case via a press release that was published in local newspapers and broadcast on local television and radio stations.

(b)(7)(C) According to our review, your (b)(7)(C) left the house with Mr. Campbell on the night of January 4, 1963 and never returned. (b)(7)(C) told the FBI that your (b)(7)(C) and Mr. Campbell went to play cards with (b)(7)(C) at (b)(7)(C) house. After winning money from both Mr. Campbell and (b)(7)(C) your (b)(7)(C) left (b)(7)(C) house, and Mr. Campbell and (b)(7)(C) left shortly thereafter. According to a January 11, 1963, *Madison County Herald* article, your (b)(7)(C) mutilated and emasculated body was found on January 9, 1963, 500 yards off Highway 51 in Camden. (b)(7)(C) told the FBI that it was (b)(7)(C) who found the body. According to the *Madison County Herald* article, when Mr. Campbell was arrested at his home on January 10, he admitted to killing your (b)(7)(C) told the FBI that after his confession, Mr. Campbell was brought to your (b)(7)(C) funeral, and he apologized to your family for killing your (b)(7)(C).

On September 19, 1963, Mr. Campbell pled guilty to murdering your (b)(7)(C) and was sentenced to life in prison. The FBI obtained Mr. Campbell's Mississippi Department of Corrections (MDOC) records. According to Mr. Campbell's "prisoner statement," on the night of January 4, 1963, Mr. Campbell was driving your (b)(7)(C) home after they had gone out drinking and they began to argue. Mr. Campbell stated that, during the argument, your (b)(7)(C) "pulled a knife" on him. Mr. Campbell pulled out his own knife and cut your (b)(7)(C) about five times across the chest with it. After killing your (b)(7)(C) Mr. Campbell pushed his body out of the car and into a pasture. Mr. Campbell then drove to Memphis, Tennessee, where he stayed for four days and then returned to Mississippi and turned himself into the Madison County Sheriff's Office.

The FBI determined that Mr. Campbell was paroled on January 3, 1973, and died on November 17, 2001.

- 3 -

After careful review of this incident, we have concluded that there is insufficient evidence to establish that your (b)(7)(C) death constitutes a racially motivated homicide and, therefore, it is not covered by the Emmett Till Act. Moreover, the now deceased Mr. Campbell acted alone when he killed your (b)(7)(C) and therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C)

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

MTK:PF:SW:tc
144-1-3411

Original Sent to - PHB
330 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

MAR 28 2011

[REDACTED]
Birmingham, AL 35217

Dear [REDACTED]:

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently opened an investigation into the circumstances surrounding the death of your family member, Virgil Ware, in September of 1963. We have now concluded that investigation and wish to inform you in writing of our findings.

On September 15, 1963, Virgil Ware was fatally shot by [REDACTED] who is white, following the bombing of the 16th Street Baptist Church in Birmingham, Alabama. [REDACTED] allegedly fired his revolver at the request of his friend, [REDACTED]. [REDACTED] were charged with first-degree murder. A jury convicted [REDACTED] on the lesser charge of second-degree manslaughter, to which [REDACTED] then pleaded guilty. (b)(7)(G)

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" -- a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . resulting in death that 'occurred not later than December 31, 1989.'"

The federal review concerning Mr. Ware's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. As part of its investigation into the circumstances of Virgil Ware's death, the FBI obtained the Jefferson County Court docket relating to the matter. It revealed that [REDACTED] were sentenced to seven months in jail in connection with the

shooting. Both of their sentences were suspended, however, and they were placed on probation for a period of 24 months. The FBI was unable to locate the court transcripts or any local investigative reports pertaining to the incident. A Jefferson County Family Court judge told the investigating agents that [REDACTED] were likely tried as juveniles, and their state court transcripts would have been destroyed decades ago. [REDACTED]

Virgil Ware's death [REDACTED]

After careful consideration, we have concluded that the matter does not constitute a prosecutable violation of the federal criminal civil rights statutes because the five-year statute of limitations that was in effect at the time of Virgil Ware's death has expired, precluding federal prosecution of this matter. In addition, because [REDACTED] were both prosecuted for this crime in state court, jeopardy has attached, and the subjects cannot be retried in state court.

Please accept our sincere condolences on the loss of your [REDACTED]. We regret that we cannot be of further assistance to you.

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:SW:mj
144-1-3378

Criminal Division - FBI
910 Pennsylvania Avenue NW
Washington, DC 20535

(b)(7)(C)

APR 28 2010

Birmingham, AL 35215

Re: (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Johnnie Brown Robinson, on September 15, 1963. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the person responsible for Mr. Robinson's death, Jack Parker, is deceased. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" -- a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death that "occurred not later than December 31, 1969."

The federal review concerning Mr. Robinson's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono

(b)(7)(C)

Rel P. 04/08/10

(b)(7)(C)

As part of its review of the circumstances of Mr. Robinson's death, the FBI researched and reviewed media articles from 1963 and 1964; obtained the file of the Birmingham Police Department (BPD), that conducted the local investigation; and conducted searches of Alabama death records.

According to our review, BPD Officer Jack Parker fatally shot Johnnie Robinson on September 13, 1963. At the time of the shooting, Mr. Robinson was among a group of African-American youths who were reportedly throwing stones at a car containing several white youths who were flying Confederate flags. Earlier that day, the 16th Street Baptist Church was bombed, resulting in the death of four African-American girls. The bombing sparked racial rioting and unrest throughout the city. When officers arrived at the scene, Mr. Robinson and his friends began to flee. Officer Parker stated that he fired his shotgun towards the ground, but some of the shots struck Mr. Robinson in the back as he was running away. According to the coroner's investigation, Mr. Robinson died from injuries caused by the shot to the back.

A local grand jury was convened, but did not return an indictment in the case.

In addition to the findings described above, the federal investigation determined that Mr. Parker died on April 9, 1977.

After careful review of this incident, we have concluded that the now deceased Jack Parker acted alone when he shot and killed Mr. Robinson and therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences on the loss of your (b)(7)(C)

Sincerely,

Paige Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-41-3577

Criminal Section - PHB
930 Pennsylvania Avenue, NW
Washington, DC 20530

APR 28 2010

(b)(7)(C)

Jackson, MS

Dear (b)(7)(C)

(b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your [redacted] Gene Brown, also known as Pheld Evans, in 1964. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because there is insufficient evidence to indicate that a racially motivated homicide occurred. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Brown's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono Gamondi Fitzgerald T. 04/14/10
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This matter was originally referred to us as an allegation that Pheld Evans may have been the victim of a racially motivated homicide. Unable to locate any records regarding anyone named Pheld Evans, the FBI contacted a number of civil rights activists in the Canton area and eventually learned that Pheld Evans's real name was Gene Brown.

As part of its review of the circumstances of Mr. Brown's death, the FBI interviewed [redacted] (b)(7)(C) and a number of Mr. Brown's other relatives. The FBI also contacted numerous Mississippi officials; conducted searches of the Internet, the *Madison County Herald*, the Mississippi Department of Archives and History (MDAH), and the University of Southern Mississippi library for relevant references and media articles; sent letters to the SPLC, the NAACP, and the Mississippi Crime Laboratory requesting information; and solicited information about the case via a press release that was published in local newspapers and broadcast on local television and radio stations.

(b)(7)(C) According to our review, sometime in 1964, Mr. Brown and his cousins Eddie Brown, and Percy Mack, Jr., went to Kosciusko where Mr. Mack dropped the other two men off at a girlfriend's house. Later that night, Mr. Brown and Mr. Eddie Brown left the girlfriend's house and were walking on a dark road heading to meet Mr. Mack so he could drive them back home. According to [redacted] the three cousins "were playing games" and Mr. Mack accidentally ran over and killed his cousins. Mr. Mack returned home and informed his parents, who then washed down the car. Eventually, a rumor was started, likely by Mr. Mack's family, that Mr. Brown had been beaten to death by Ku Klux Klan members. (b)(7)(C) [redacted] about Mr. Brown's death from Mr. Mack's (b)(7)(C) [redacted].

One of Mr. Brown's relatives, (b)(7)(C) [redacted] told the FBI that Mr. Brown had been murdered by Klan members. Another relative, (b)(7)(C) [redacted] similarly told the FBI that both Mr. Brown and Mr. Eddie Brown had been beaten and then run over, although (b)(7)(C) [redacted] did not identify the perpetrators. Neither (b)(7)(C) [redacted] nor (b)(7)(C) [redacted] identified the source of their information concerning Mr. Brown's death. (b)(7)(C)

Three of Mr. Brown's other relatives, (b)(7)(C) [redacted] and (b)(7)(C) [redacted] (b)(7)(C) [redacted] told the FBI that they had heard the rumor of the Klan murder but they eventually also learned that Mr. Mack had, in fact, accidentally killed Mr. Brown and Mr. Eddie Brown.

Mr. Mack died on September 18, 1978.

After careful review of this incident, we have concluded that there is insufficient evidence to indicate that your (b)(7)(C) [redacted] death constitutes a racially motivated homicide and, therefore, is not covered by the Emmett Till Act. Accordingly, we have no choice but to close our investigation.

- 3 -

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C).

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative.



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-41-3579

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

MAY 02 2010

Butler, WI 53007

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Silas Caston, on March 1, 1964. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the person responsible for your (b)(7)(C) death, Hinds County, Mississippi, Sheriff's Office (HCSO) Deputy Herbert Hoover Sullivan, is deceased. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify, and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the Initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning your (b)(7)(C) death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono Gamondi Fitzgerald T, 04/29/10
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letters\Final\144_41_3579_Caston.wpd

(b)(7)(C) As part of its review of the circumstances of your (b)(7)(C) death, the FBI interviewed (b)(7)(C) The FBI also contacted various Mississippi law enforcement and government officials; conducted searches of the records of the SPLC, the Mississippi Department of Archives and History (MDAH), the University of Southern Mississippi library, and the internet for relevant references and media articles; sent letters to the SPLC and the NAACP requesting information; and solicited information about the case via a press release that was published in local newspapers and broadcast on local television and radio stations.

(b)(7)(C) According to our review, on March 1, 1964, HCSO Deputy Herbert Hoover Sullivan shot and killed your (b)(7)(C). According to a contemporaneous article in the Jackson *Clarion Ledger*, the shooting occurred when HCSO deputies responded to a report of shots fired. As (b)(7)(C) told the FBI, (b)(7)(C) were living in Wisconsin at the time of the shooting, however, (b)(7)(C) later learned that your (b)(7)(C) was in a club with two other teenagers "making some noise." When officers responded to a call from the club's owner, the two others fled, while your (b)(7)(C) turned around and raised his hands in surrender, whereupon he was shot.

~~According to the *Clarion Ledger* article cited above, when the deputies responded to the shots fired report, they saw two men fleeing the scene. Deputy Sullivan (who was not identified in the article) chased your (b)(7)(C) into a café where, according to HCSO Sheriff Fred Pickett, your (b)(7)(C) turned "as if to attack the deputy." At that point, Deputy Sullivan, who "had no way of knowing" that your (b)(7)(C) was unarmed, shot him in the stomach, fatally wounding him.~~

The FBI determined that Deputy Sullivan died on April 6, 1986.

After careful review of this incident, we have concluded that the now deceased Deputy Sullivan acted alone when he shot and killed your (b)(7)(C) and therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C).

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:KS:hbo
144-57-1781

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

Topsham, Maine 04086

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Reverend Bruce Klunder, on April 7, 1964. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because there is insufficient evidence to indicate that a racially motivated homicide occurred. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Reverend Klunder's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

As part of its review of the circumstances of Reverend Klunder's death, the FBI obtained and reviewed a copy of the Coroner's Verdict and autopsy report, as well as copies of newspaper articles from a number of Ohio newspapers referencing the death of Reverend Klunder. The FBI

also queried the Cleveland Police Department (CPD) for any records which might exist pertaining to Reverend Klunder's death.

According to our review, on April 7, 1964, Reverend Klunder was crushed by a bulldozer driven by (b)(7)(C) during a civil rights demonstration opposing the construction of a segregated school in Mentor, Ohio. The FBI attempted to identify and locate (b)(7)(C) but he is either deceased or could not be located using the variety of public and law enforcement databases available to FBI investigators. Per media reports, there were approximately 150 demonstrators gathered at the construction site, which was guarded by Cleveland Police Department officers. During the course of the demonstration, two women and a man rushed into the path of the bulldozer operated by (b)(7)(C). Meanwhile, Reverend Klunder laid down on the ground behind the bulldozer. In an effort to avoid hitting the individuals in front of the bulldozer, (b)(7)(C) stopped the machine. (b)(7)(C) reportedly looked around, but did not see Reverend Klunder, then drove the bulldozer in reverse. When (b)(7)(C) stopped the bulldozer, he realized that he had crushed and killed Reverend Klunder. (b)(7)(C) was subsequently attacked by several onlookers who charged past police.

(b)(7)(C) reportedly claimed that he drove backward because when the three individuals lay down in front of his bulldozer, its shovel was still hanging over them. With respect to Reverend Klunder, (b)(7)(C) reportedly stated, "I didn't know another man was behind me." (b)(7)(C) explained further, "I backed up all the way over him, and then I saw him lying in front of the tractor. That was the first I knew I had run over anybody." According to media accounts, (b)(7)(C) was very upset and remorseful. (b)(7)(C) also indicated that he could not hear shouting alerting him to Reverend Klunder's presence due to the loud noise produced by the bulldozer. The Cuyahoga County Coroner's Verdict classified Reverend Klunder's death as an accident.

After careful review of this incident, we have concluded that there is insufficient evidence to indicate that (b)(7)(C)'s death constitutes a racially motivated homicide and, therefore, is not covered by the Emmett Till Act. Accordingly, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of (b)(7)(C).

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative
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U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-41-3576

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

Jacksonville, FL 32208

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Jasper Greenwood, on June 21, 1964. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because there is insufficient evidence to indicate that a racially motivated homicide occurred. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning your (b)(7)(C) death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono Gamondi Fitzgerald T.05/18/10
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letters\Final\144_41_3576_Greenwood.wpd

As part of its review of the circumstances of your (b)(7)(C) death, the FBI retrieved from the National Archives and Records Administration (NARA) the 1964 FBI file relating to the incident. The FBI also contacted you; (b)(7)(C)

(b)(7)(C) Additionally, the FBI contacted several Mississippi agency officials; conducted searches of the records of the SPLC, the Mississippi Department of Archives and History (MDAH), the University of Southern Mississippi library, law enforcement databases, and the internet for relevant references and media articles; sent letters to the SPLC and the NAACP; and solicited information about the case via a press release that was published in local newspapers and broadcast on local television and radio stations.

According to our review, on June 29, 1964, your (b)(7)(C) badly decomposed body was found next to his car on a "lover's lane," about 100 yards off of Main Street in Vicksburg, Mississippi. One of your family members had reported him missing to the Vicksburg Police Department (VPD) on June 21, 1964. According to a June 30, 1964 article in the *Vicksburg Evening Post*, no weapon was found near your (b)(7)(C) body. Additionally, a purse containing about \$61 was found in his car, likely ruling out the possibility that he was killed during a robbery. As a result of the condition of your (b)(7)(C) body, a coroner's inquest could not determine his cause of death.

On June 30, 1964, the FBI initiated an investigation into allegations made by both (b)(7)(C) of the Jackson office of the Council of Federated Organizations (COFO), and (b)(7)(C) of the Student Non-Violent Coordinating Committee (SNCC), that your (b)(7)(C) who managed the Jasper Lounge in Vicksburg, had last been seen leaving the lounge with two white men,

(b)(7)(C) Shortly after the discovery of your (b)(7)(C) body, the VPD investigation determined that he had last been seen alive in the early morning hours of June 21, 1964, in the company of Flossie Lee Minor, a married African-American woman, whose husband had reportedly (b)(7)(C) previously threatened your (b)(7)(C) for dating his wife. Ms. Minor and her husband initially disappeared but, on July 3, 1964, the VPD arrested Ms. Minor. Ms. Minor reportedly admitted to the VPD that she had gone with your (b)(7)(C) to a "lover's lane," where, according to Ms. Minor, (b)(7)(C) your (b)(7)(C) suddenly died of an apparent heart attack and she fled the scene. She denied that there had been any foul play involved in your (b)(7)(C) death.

The FBI conducted an online search for Ms. Minor and located a record for a Flossie E. Minor who died on April 2, 2005 in Liberty, Missouri. The FBI then contacted (b)(7)(C) one of Ms. Minor's (b)(7)(C) (b)(7)(C) stated that he had no knowledge that his (b)(7)(C) had ever lived in Vicksburg.

In 1964, the FBI also investigated allegations by COFO member (b)(7)(C) that (b)(7)(C) the funeral home owner who prepared your (b)(7)(C) body for burial, told (b)(7)(C) (b)(7)(C) that he had noticed a hole at the base of your (b)(7)(C) throat that could have been a stab or bullet wound. The FBI interviewed (b)(7)(C) in 1964 and (b)(7)(C) denied that he

thought the hole had been caused by anything other than "nature" and who stated that he specifically told (b)(7)(C) as much when (b)(7)(C) asked about it.

(b)(7)(C) told the FBI that he investigated the matter further and determined that your (b)(7)(C) was not a member of COFO or any related organization and had not been involved in any voter registration drives or other civil rights work. (b)(7)(C) who was then the NAACP's Mississippi (b)(7)(C) similarly informed the FBI that your (b)(7)(C) was not active in voter registration efforts or the civil rights movement.

As previously mentioned, your (b)(7)(C) was contacted as part of the FBI's 2009 investigation. Your (b)(7)(C) told the FBI that (b)(7)(C) may have been the woman who saw your (b)(7)(C) on the night of his death and disappeared immediately after it. (b)(7)(C) was interviewed and stated (b)(7)(C) worked the midnight shift at the Rockett Cab Company in Vicksburg the entire weekend that your (b)(7)(C) went missing and (b)(7)(C) did not know why it was rumored that (b)(7)(C) had been with him at any time.

After careful review of this incident, we have concluded that there is insufficient evidence to establish that your (b)(7)(C) death constitutes a racially motivated homicide and, therefore, it is not covered by the Emmett Till Act. Accordingly, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C)

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-19M-1758

Criminal Section - PHB
930 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

APR 28 2010

Jackson, GA 30233

Dear

(b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7) James Andrew Miller, on August 30, 1964. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the person responsible for your (b)(7) death, John L. Whitaker, is deceased. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the Initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Miller's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono

(b)(7)(C)

Fitzgerald T. 04/12/10

(b)(7)(C)

As part of its review of the circumstances of Mr. Miller's death, the FBI obtained a local newspaper article; conducted searches of Georgia birth and death records; and obtained Mr. Whitaker's death certificate.

According to our review, John Lo Whitaker shot and killed James Andrew Miller on August 30, 1964, in Jackson, Georgia. The shooting reportedly occurred during a confrontation between the African-American and white occupants of two vehicles. Mr. Miller was transported to a nearby hospital where he was pronounced dead upon arrival. After killing Mr. Miller, Mr. Whitaker drove to Covington, Georgia, where he informed the law enforcement authorities of the shooting and surrendered to them. Mr. Whitaker died on December 19, 1987.

After careful review of this incident, we have concluded that the now deceased John Lo Whitaker acted alone when he shot and killed your (b)(7)(C) and therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C)

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PP:CG
144-41-3572

Criminal Section - PKB
950 Pennsylvania Avenue, NW
Washington, DC 20530

APR 12 2010

(b)(7)(C)

New Orleans, LA 70117

Dear (b)(7)(C)

(b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Herbert Orsby, on or about September 9, 1964. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because there is insufficient evidence to indicate that a racially motivated homicide occurred. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" -- a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Orsby's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono Camondi Fitzgerald T. 04/12/10
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letters\Final\144_41_3572_Orsby.wpd

As part of its review of the circumstances of your (b)(7)(C) death, the FBI interviewed you. The FBI also retrieved from the National Archives and Records Administration (NARA) the 1964 FBI file relating to the incident; contacted various Mississippi law enforcement and government officials; conducted searches of the FBI records, Mississippi Department of Archives and History (MDAH), the University of Southern Mississippi Library, and the internet for relevant references and media articles; sent letters to both the SPLC and the NAACP requesting information; and solicited information about the case via a press release that was published in local newspapers and broadcast on local television and radio stations.

According to our review, on September 9, 1964, the body of 14-year-old Herbert Orsby was found floating in the Big Black River in Canton, Mississippi. Mr. Orsby was clad only in his shorts and the remainder of his clothing was found on a nearby riverbank. Mr. Orsby, who resided in New Orleans, Louisiana, had been visiting relatives in Plokers, Mississippi. Relatives reported that they had last seen him walking toward the Big Black River on Labor Day, September 7, 1964. Holmes County Coroner Dr. Justin Kazar examined Mr. Orsby's body and found no bruises or other evidence of foul play. A local Coroner's Inquest was held immediately and the verdict was that Mr. Orsby had died as a result of accidental drowning.

The FBI initiated an investigation on September 9, 1964, after receiving a complaint from (b)(7)(C) told the FBI that he had received information from the Canton, Mississippi, COFO, that the body of an African-American teenager wearing a t-shirt with the letters CORE (Congress of Racial Equality) imprinted on it had been found in the Big Black River. (b)(7)(C) told the FBI that a man named (b)(7)(C) had reportedly seen the removal of Mr. Orsby's body from the river.

Additionally, a CORE press release, dated September 10, 1964, stated that Mr. Orsby, who had been wearing a CORE t-shirt, was declared missing on September 6, 1964. According to the release, the previous day, "another [African-American] youth had been observed being forced at gunpoint into a white-driven pickup truck." The press release did not indicate the source of those allegations.

As part of the 1964 investigation, the FBI interviewed (b)(7)(C) who stated that he and a group of others went to the river and saw several Mississippi Highway Safety Patrol cars, but (b)(7)(C) denied having ever seen your brother's body. Further, (b)(7)(C) was quoted in a 1964 newspaper article as stating that your (b)(7)(C) clothing did not have the CORE lettering on it.

Neither the 1964 FBI investigation nor the 2008 FBI review produced evidence to indicate that your (b)(7)(C) death was other than accidental or to substantiate the allegations in the 1964 CORE press-release.

- 3 -

After careful review of this incident, we have concluded that there is insufficient evidence to indicate that your (b)(7)(C) death constitutes a racially motivated homicide and, therefore, is outside the scope of the Emmett Till Act. Accordingly, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C).

Sincerely,

Paula M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice

Civil Rights Division

MIK:EMF:SW:to
144-17M-3158

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

JUN 04 2011

[REDACTED]
Pflugerville, TX 78660

Dear [REDACTED]:

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the disappearance of your [REDACTED] Jesse Wleshiemer Cano, in 1963. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because there is insufficient evidence to prove, beyond a reasonable doubt, that Mr. Cano's disappearance was the result of a racially-motivated homicide. In addition, the five-year statute of limitations that was in effect at the time of Mr. Cano's disappearance has expired.

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Cano's disappearance was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. As part of its review of the circumstances of Mr. Cano's disappearance, the FBI researched and reviewed media articles from 1963; queried all of the medical examiners' offices in the Tampa area for documentation of Mr. Cano's death with negative results; searched national databases for recent use of Mr. Cano's social security number with negative results; obtained the 1999 Investigative Files of the Hernando County Sheriff's Office (HCSO) and the Florida Department of Law Enforcement (FDLE); and

interviewed you regarding the allegations made by your family members that your paternal [REDACTED] was involved in, or had information pertaining to, Mr. Cano's disappearance.

According to our review, [REDACTED] contacted the HCSO in 1999 and alleged that you had told your [REDACTED] that [REDACTED] told you during a fishing trip that the Ku Klux Klan (KKK) had killed Mr. Cano, then placed his body on the railroad tracks to cover up any evidence of a homicide. The HCSO, then the FDLE, conducted investigations into these allegations, but did not find any evidence that Mr. Cano was the victim of a racially-motivated homicide. On November 2, 2008, you were interviewed by the FBI and denied that the conversation your [REDACTED] had described between you and [REDACTED] had ever taken place. You stated further that to your knowledge, [REDACTED] had never been involved with the KKK. Based on your statements and the lack of evidence to substantiate the allegation that Mr. Cano was the victim of a racially-motivated homicide, the FBI closed its investigation into this matter.

We regret that we cannot be of further assistance to you. Please accept our sincere condolences on the disappearance of your family member.

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-41-3564

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

MAY 08 2010

Hattiesburg, MS 39401

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Selma Kelly Trigg, on January 21, 1963. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because there is insufficient evidence to indicate that a racially motivated homicide occurred. Please accept our sincere condolences on the loss of your (b)(7)(C)

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Ms. Trigg's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono Gamondi Fitzgerald T. 04/26/10
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This matter was originally referred from the SPLC in the form of a press release that listed the January 23, 1965, death by burning of "Saleam K. Triggs." The press release referenced the NAACP's 1965 annual report that stated that "Mrs. Saleam K. Triggs," a resident of Hattiesburg, Mississippi, had "mysteriously burned to death" on January 23 of that year. The FBI investigation did not locate any additional information or evidence supporting the allegations, but it did determine that the person who died in January 1965 in Hattiesburg, Mississippi, was your great-aunt, 76-year-old Selma Kelly Trigg, and that her actual date of death was January 21, 1965.

As part of its review of the circumstances of Ms. Trigg's death, the FBI interviewed you. The FBI also contacted numerous Mississippi agency officials, and Linda Owens, the widow of Johnny Owens, who once owned the Riverside Cemetery where your great-aunt was buried; sent letters to the SPLC and the NAACP; and conducted searches of the Internet, the Mississippi Department of Archives and History (MDAH), and the records of the SPLC and the University of Southern Mississippi library.

According to our review of Ms. Trigg's death certificate and a contemporaneous *Hattiesburg American* newspaper article, she died on January 21, 1965, when a fire of undetermined origin trapped her in her bedroom. Although Ms. Trigg was carried out through a window and transported to a hospital, she was pronounced dead on arrival there. Ms. Trigg's death was ruled accidental. As you told the FBI, you were not aware of any evidence to suggest foul play.

After careful review of this incident, we have concluded that there is insufficient evidence to establish that your great aunt's death was other than accidental or constitutes a racially motivated homicide and, therefore, it is not covered by the Emmett Till Act. Accordingly, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your great aunt.

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-40-2132

Criminal Section - PHB
350 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

Gary, IN 46409

APR 28 2010

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Jessie Brown, on January 23, 1963. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the person responsible for your (b)(7)(C) death, Reese Marlon Gipson, is deceased. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Brown's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono Gamond Fitzgerald T. 04/19/10
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As part of its review of the circumstances of Mr. Brown's death, the FBI interviewed you, a number of individuals who were in Winona at the time of the shooting, and (b)(7)(C) (Mr. Glipson's (b)(7)(C)). The FBI also contacted various Mississippi law enforcement and government officials; and conducted searches of archived records of the *Winona Times*, and the Mississippi Department of Archives and History (MDAH) for relevant media articles.

According to our review, on January 23, 1965, Mr. Brown was shot and killed by his employer, Reese Marlon Glipson, in Mr. Glipson's home in Winona, Mississippi. Mr. Glipson told Montgomery County Sheriff's Office (MCSO) (b)(7)(C) (b)(7)(C) that Mr. Brown had become intoxicated and attacked Mr. Glipson and Mr. Glipson's (b)(7)(C) with an icepick, whereupon Mr. Glipson shot Mr. Brown in self-defense. Mr. Brown sustained a fatal shotgun wound to the stomach.

Mr. Glipson was arrested for shooting Mr. Brown and, on January 24, 1965, the incident was investigated by a local district attorney, Chatwick Jackson. However, based on Montgomery County Circuit Court records, no charges were ever presented to the local grand jury. When you spoke to the FBI on March 12, 2009, you stated that your grandmother, Mr. Brown's widow, always believed that there was more to the shooting than was revealed at the time.

Mr. Glipson died on June 16, 1977.

After careful review of this incident, we have concluded that the now deceased Mr. Glipson acted alone when he shot and killed your (b)(7)(C) and therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C).

Sincerely,

Deigo M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

MJKEPMB:SW:to
144-3-1422

Official Station - FBI
950 Pennsylvania Avenue, NW
Washington, DC 20530

MAY 03 2011

[REDACTED]
Bataw, AL 35462

Dear [REDACTED]:

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently opened an investigation into the circumstances surrounding the death of your son, [REDACTED] Jimmie Lee Jackson, in February of 1968. We have now concluded that investigation and wish to inform you in writing of our findings.

On February 18, 1968, Jimmie Lee Jackson was shot by [REDACTED] following a civil rights protest in Marion, Alabama. Mr. Jackson died from an abdominal laceration secondary to his injuries on February 26, 1968. While [REDACTED] alleged that he and Mr. Jackson struggled for control of his service weapon, and that the gun discharged when Mr. Jackson struck [REDACTED] hand, the civilian witnesses stated that they saw [REDACTED] draw his gun and deliberately shoot Mr. Jackson. The civilian witnesses also disputed [REDACTED] claim that Mr. Jackson struck [REDACTED] with a glass bottle prior to the shooting.

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative"—a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February 2007, the FBI announced the next phase of the Initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Ernest T. Holmes Civil Rights Crime Act" ("Ernest T. Holmes Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . resulting in death that 'occurred not later than December 31, 1969.'"

The federal review concerning Mr. Jackson's death was begun pursuant to the Cold Case Initiative and the Ernest T. Holmes Act. As part of its investigation into the circumstances of

- 2 -

Mr. Jackson's death, the FBI obtained the Alabama Department of Public Safety investigative reports, the autopsy report, and media reports pertaining to the incident. The FBI was also able to obtain excerpts from its 1965 case file at the National Archives Building in Washington, D.C.

After careful consideration, we have concluded that we cannot prosecute this matter because the five-year statute of limitations that was in effect at the time of Jimmie Lee Jackson's death has expired. However, the FBI lent its assistance to the State of Alabama in prosecuting [REDACTED] at the state level on charges of first- and second-degree murder, resulting in the defendant pleading guilty to manslaughter and receiving a six-month prison sentence. Double jeopardy precludes further prosecution of this matter in state court.

Please accept our sincere condolences on the loss of your [REDACTED]. We regret that we cannot be of further assistance to you.

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

MIKEPFDWT:bb
DJ 144-3-1429

Criminal Section - 2413
250 Pennsylvania Ave., NW
Washington, DC 20535

JUN 01 2011

[REDACTED]
Casper, WY 82601

Dear [REDACTED]:

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your [REDACTED] Reverend James Reeb, on March 9, 1968. We regret to inform you that we are unable to proceed further with a federal criminal investigation of the death of your [REDACTED] because the statute of limitations for prosecuting this crime has run, and the man whom we believe is responsible, Elmer Cook, is deceased. The only surviving individual implicated in your [REDACTED] death was tried and acquitted of this crime in state court, which bars further state prosecution. Please accept our sincere condolences on the loss of your [REDACTED].

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 35 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsevered Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . resulting in death" that "occurred not later than December 31, 1969."

The federal review concerning the death of your [REDACTED] was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you by writing of our findings.

cc: [REDACTED]

T 6/1/2011

As part of its review of the circumstances of your [REDACTED]'s death, the FBI retrieved from the National Archives and Records Administration (NARA) the 1965 FBI file relating to the incident; interviewed [REDACTED] of the prime suspect, Elmer Cook; and conducted searches of Alabama death records. The FBI made an attempt to interview the only living suspect implicated in the murder of your [REDACTED] but he refused to speak with the investigating agents.

According to our review, on March 9, 1965, your [REDACTED] and two other Unitarian Universalist ministers - [REDACTED] of Boston, Massachusetts and [REDACTED] of Berkeley, California - participated in a civil rights march from Selma to Montgomery that was led by Reverend Martin Luther King, Jr. According to archived newspaper reports that were gathered by the Federal Bureau of Investigation ("FBI"), the three ministers were part of a group of more than 450 clergymen from across the country who were in Alabama to protest the violent treatment of African Americans who were seeking the right to vote. After the march, your [REDACTED] and [REDACTED] dined at an African-American owned restaurant in Selma. When the three of them left the restaurant, four white men attacked them on the sidewalk. One of the four attackers struck your [REDACTED] in the head with a club. An ambulance transported your [REDACTED] to University Hospital in Birmingham, Alabama, where two days later he died from the injuries sustained in the attack.

(b)(7)(C) On March 10, 1965, the day after the attack on your [REDACTED] and [REDACTED] and [REDACTED] local police officials arrested four men, Elmer L. Cook, a novelty store manager; William Stanley Hoggie, a salesman; [REDACTED] and R. B. Kelley, for the assault. The state charges were based upon Edgar Stripling's statement that he saw the four men attack your [REDACTED] and [REDACTED] and [REDACTED] R.B. Kelley was the only one of the four to make a statement to the local police officials, and he told them that Cook, William Hoggie, and [REDACTED] were involved in the attack on your [REDACTED]. The police conducted a search of Kelley's car and seized a club that fit the description of the club that was used in the attack on your [REDACTED]. According to the FBI lab analysis contained in the 1965 file, no bloodstains, tissue particles or human hairs were found on the club that the police seized from Kelley's car.

On the same date that Elmer Cook, William Hoggie, [REDACTED] and R.B. Kelley posted bond and were released from state custody, federal law enforcement officials immediately arrested all four men, pursuant to a filed complaint that charged them with conspiracy to violate federal civil rights laws, in violation of 18 U.S.C. §241. The four men were subsequently released on bond for the federal charges as well. When your [REDACTED] died of the injuries he sustained during the attack, the State of Alabama indicted three of the men, Elmer Cook, William Hoggie, and [REDACTED] for murder. The state did not indict R.B. Kelley for murder.

Docket entries for the Dallas County Circuit Court indicate that the murder trial of Elmer Cook, William Hoggie, and [REDACTED] began on December 7, 1965 and ended three days later with acquittals for all three men on December 10, 1965. Documentation in the FBI's 1965 file show that federal agents interviewed more than 50 people as part of its investigation into the death of your [REDACTED], and all of its investigative materials and findings were given to the local [REDACTED] prior to the trial. Newspaper reports of the trial proceedings

indicate that the judge ruled that Edgar Stripling -- the eye witness who was the first to identify Cook, William Hoggle, [REDACTED] and R.B. Kelly as the assailants in the attack on your [REDACTED] -- was incompetent to testify at trial. Although there is no official record of the proceeding that memorializes the trial court's finding or rationale for excluding Mr. Stripling, a report within the FBI's 1963 file notes that Edgar Stripling had been confined to a Veterans Administration Hospital from 1949 until 1957, where he was found to be permanently disabled from a mental condition.

Based upon newspaper accounts of the proceedings, R.B. Kelley, who was not on trial as a defendant and had provided statements to police identifying Cook, William Hoggle and [REDACTED] as assailants in the attack on your [REDACTED], invoked his Fifth Amendment right not to incriminate himself and refused to testify. With the trial judge's exclusion of Mr. Stripling as a witness and Kelley's refusal to testify, [REDACTED] and [REDACTED] provided the only eyewitness testimony regarding the identity of the assailants. According to the trial summary contained in the FBI file from 1963, [REDACTED] and [REDACTED] testified and identified Earl [sic] L. Cook as the individual who struck them, but claimed they did not know who struck Reverend REBB. They identified the [REDACTED] as being individuals who resembled persons in the company of COOK at the time of the assault, but could not positively identify them as assailants. (b)(7)(C)

On August 19, 2008, the FBI interviewed [REDACTED] of Elmer Cook, as part of its supplemental investigation into the death of your [REDACTED]. [REDACTED] provided no new information regarding the attack on your [REDACTED] and claimed that a "retarded" man "falsely accused" Elmer Cook of attacking your [REDACTED]. During its supplemental investigation, the FBI discovered that Edgar Stripling -- the witness who identified Elmer Cook, William Hoggle, [REDACTED] and R.B. Kelley as the assailants in the attack upon your [REDACTED], but was ruled incompetent to testify at trial -- died on June 28, 1988. The FBI also learned, pursuant to its supplemental investigation, that Elmer L. Cook died on February 12, 1972, approximately 7 years after the death of your [REDACTED]. R. B. Kelley died on March 4, 1994, and William Stanley Hoggle died on June 14, 1996. The FBI learned that [REDACTED] is still alive.

We are unable to proceed further with a federal criminal investigation regarding Mr. Cook, Mr. Kelley and Mr. William Hoggle because they are deceased. We are also unable to proceed further with a federal criminal investigation regarding [REDACTED]. Prior to 1994, federal criminal civil rights violations were not capital offenses, thereby subjecting them to a five-year statute of limitations, which in the matter of the death of your [REDACTED] ended in 1970. The Civil Rights Division has used non-civil rights statutes to overcome the statute of limitations challenge in certain cases, such as those occurring on federal land and kidnapping resulting in death. After careful review of this incident, however, we have concluded that the facts of the present case do not lend themselves to federal prosecution under other statutes. Furthermore, because [REDACTED] has already been tried and acquitted for this crime in state court, jeopardy has attached and he cannot be retried in state court. Thus, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your family member.

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the
Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-19M-1770

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20536

JUN 28 2011

[REDACTED]
Newton, GA 39870

Dear [REDACTED]:

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your [REDACTED] Hosie Miller, on March 15, 1965. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the man responsible for the death of your [REDACTED] is deceased. Please accept our sincere condolences on the loss of your [REDACTED].

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning the death of your husband was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono

[REDACTED] T.6/16/11
[REDACTED]

As part of its review of the circumstances of the death of your [REDACTED] the FBI interviewed you and a civilian witness, who was reportedly a friend of both your [REDACTED] and the man who shot and killed your [REDACTED] Cal Hall, Jr. The FBI also contacted the Baker County Sheriff and conducted a search of the Baker County Courthouse death records.

(b)(7)(C) According to our review, on or about March 15, 1965, a number of cows belonging to Mr. Hall wandered onto the adjacent Miller property. On March 15, Mr. Hall and a man named [REDACTED] came to [REDACTED] farm looking for the cows. Both Mr. Miller and Mr. Miller's [REDACTED] were present. Mr. Hall tried to take one of Mr. Miller's cows and, when Mr. Miller objected, Mr. Hall drew a gun and shot him, fatally wounding him. Your [REDACTED] drove your [REDACTED] to the hospital in Camilla, Georgia. Mr. Miller was later transferred to another hospital, in Albany, but he died there of his wounds.

You tried to report the shooting to local law enforcement officials but received little help. According to you, then Baker County [REDACTED] was a "mean man," who had no interest in helping African-Americans. The civilian witness interviewed by the FBI similarly characterized [REDACTED]. The witness also told the FBI that [REDACTED] treated Mr. Hall preferentially, allowing Mr. Hall to take a television with him when he was transferred to the Mitchell County Jail.

According to a July 31, 2010 *Albany Herald* newspaper article, the charges of assault with intent to kill sworn out by you against Mr. Hall went before a grand jury on October 27, 1965, but the grand jury declined to indict him. According to the article, your [REDACTED] also swore out a warrant for murder, on March 24, 1965, the day before your [REDACTED] died. That warrant was presented on an unknown date as a special presentment before the local grand jury, but was also dismissed. [REDACTED] tried again to obtain a murder charge against Mr. Hall on January 17, 1966.

As you told the FBI, famed civil rights attorney [REDACTED] filed a wrongful death suit on your behalf. According to the *Albany Herald* article, in Mr. Hall's answer to the civil complaint, he reportedly stated that he killed your [REDACTED] in self-defense. [REDACTED] tried, unsuccessfully, to have the disproportionately white jury lists redrawn. The civil suit went forward and, on September 12, 1966, the jury delivered a verdict in favor of Mr. Hall.

The civilian witness told the FBI that shortly after the charges against Mr. Hall were dropped, Mr. Hall told the witness that he had shot your husband as a result of a dispute over a cow.

Mr. Hall died on June 26, 1976.

After careful review of this incident, we have concluded that the now deceased Cal Hall, Jr. acted alone when he shot and killed your [REDACTED] and therefore, we have no choice but to close our investigation.

- 3 -

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C)

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-33-2264

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

JUN -1 2011

Ruston, LA 71270

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) John Wesley Wilder, on July 17, 1963. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the applicable five-year statute of limitations has expired and because, even if not barred by the statute of limitations, there is insufficient evidence to prove a violation of the relevant federal criminal civil rights statutes, beyond a reasonable doubt. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning the deaths of your (b)(7)(C) was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono Camondl T. 05/19/11
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letters\Final\144_33_2264_Wilder.wpd

As part of its review of the circumstances of the deaths of your (b)(7)(C) the FBI interviewed former Ruston Police Department (RPD) (b)(7)(C) contacted several Louisiana law enforcement officials, and an investigator from the Southern Poverty Law Center (SPLC); and conducted searches of the internet and law enforcement databases. Additionally, although former RPD Patrolman (b)(7)(C) killed your (b)(7)(C) declined to be interviewed by the FBI, a summary of his account was relayed to the FBI through his attorney.

According to our review, on July 17, 1965, your (b)(7)(C) was shot and killed (b)(7)(C) (b)(7)(C) According to (b)(7)(C) account as provided in summary form by his attorney, at about 1:00 a.m. on the night of the shooting, he was on patrol in the Washington Heights area of Ruston. He saw a number of people congregating in the street. He got out of his patrol car and tried to arrest one of the people for disturbing the peace. At some point, (b)(7)(C) was struck by an object thrown by someone in the large crowd.

According to (b)(7)(C) at about the same time that he was struck, Mr. Wilder started to interfere with (b)(7)(C) arrest of the individual who was disturbing the peace. (b)(7)(C) and Mr. Wilder began to struggle. (b)(7)(C) eventually his shotgun out of his car but a bystander took it from him. As (b)(7)(C) tried to place Mr. Wilder into his car, Mr. Wilder grabbed him by the throat. (b)(7)(C) in turn, grabbed Mr. Wilder by the throat and shot him with his service pistol.

According to (b)(7)(C) account, RPD (b)(7)(C) were on duty on the night of the shooting. The FBI did not locate (b)(7)(C) in 2008, but it did interview (b)(7)(C) who did not recall being on duty but stated that (b)(7)(C) told him that he had to fire five times and that he was bothered by the shooting. Similarly, former RPD (b)(7)(C) (b)(7)(C) who was working for the RPD at the time of the shooting, opined that (b)(7)(C) had not wanted to shoot Mr. Wilder.

According to a July 19, 1965 *Ruston Daily Reader* article, a local Coroner's Inquest determined that (b)(7)(C) had shot Mr. Wilder in self-defense. Lincoln Parish (b)(7)(C) (b)(7)(C) was quoted in the article as saying that he had questioned unidentified officers and three African-American witnesses in reaching his conclusion. The shooting took place while the (b)(7)(C) and Mr. Wilder were in close physical contact and, according to the (b)(7)(C) Mr. Wilder had a hand on (b)(7)(C) neck.

After careful review of this incident, we have concluded that the federal government cannot now bring a prosecution against the officer who killed your (b)(7)(C). Prior to 1994, federal criminal civil rights violations were not capital offenses, thereby subjecting them to a five-year statute of limitations. In 1994, some of these civil rights statutes were amended to provide the death penalty for violations resulting in death, thereby eliminating the statute of limitations. However, the *Ex Post Facto* Clause prohibits the retroactive application of the 1994 increase in penalties and the resultant change in the statute of limitations to the detriment of criminal

- 3 -

defendants. While the Civil Rights Division has used non-civil rights statutes to overcome the statute of limitations challenge in certain cases, such as those occurring on federal land and kidnapping resulting in death, the facts of your (b)(7)(C) case do not lend themselves to prosecution under other statutes.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C)

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

MJK:PMP:SW:tc
144-2-1433 1429

Criminal Section - PHB
930 Pennsylvania Avenue, NW
Washington, DC 20530

APR 26 2011

(b)(7)(C)

East Chicago, IN 46312

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of Jonathan Myrick Daniels on August 20, 1965. During this incident, (b)(7)(C) shot and seriously injured. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the person who is responsible for your injury and for Mr. Daniels's death, Thomas Coleman, is deceased. In addition, the five-year statute of limitations that was in effect at the time of the shooting has expired.

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death that "occurred not later than December 31, 1969."

The federal review concerning Mr. Daniels's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. As part of its review of the circumstances of Mr. Daniels's death, the FBI researched and reviewed media articles from 1965 and obtained the 1965 FBI file. Unfortunately, the local investigative records were destroyed in a fire at the building in which they were housed.

According to our review, on August 20, 1965, you and Mr. Daniels were released from the jail in Hayneville, Alabama where you had been detained following a voting rights demonstration in Fort Deposit, Alabama. As you attempted to enter a nearby store along with (b)(7)(C) raised a shotgun in the direction of one of the women. Mr. Daniels pushed the woman aside. Coleman fired a shot, fatally wounding Mr. Daniels in the chest and abdomen at close range. Coleman then fired a second shot at you as you were running away, wounding you in the back.

Deputy Coleman was tried for manslaughter at the state level in 1965 and acquitted following a jury trial, during which the defense argued that Coleman shot Mr. Daniels and you in self-defense after seeing that Mr. Daniels and you were armed with a knife and a gun. A search of death records revealed that Coleman died in 1997, following an illness.

After careful review of this incident, we have concluded that the now-deceased Thomas Coleman acted alone when he shot you and Mr. Daniels. Additionally, the five-year statute of limitations that was in effect at the time of Mr. Daniels's death has expired. Therefore, we have no choice but to close our investigation.

Our investigation revealed that Mr. Daniels's parents are deceased and that he had a (b)(7)(C). If you have contact information for (b)(7)(C) or any other relatives of Jonathan Daniels, we ask that you provide it to us at the address set forth above so we can notify them of the federal review of this matter.

We regret that we cannot be of further assistance to you. Please accept our sincere condolences on the loss of your friend.

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice

Civil Rights Division

RM:PF:CG
144-19-2765

Criminal Section - PFD
230 Pennsylvania Avenue, NW
Washington, DC 20535

MAY 27 2011

[REDACTED]
Villa Rica, GA 30180

Dear [REDACTED]

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your [REDACTED] Arthur James Hill, on August 20, 1963. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the person responsible for Mr. Hill's death, Burt Lee Green, is deceased. Please accept our sincere condolences on the loss of your brother-in-law.

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 36 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . resulting in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Hill's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono

T. 02/14/11

[REDACTED]

As part of its review of the circumstances of Mr. Hill's death, the FBI interviewed you, researched and reviewed 1965 *Carroll County Georgian* articles; obtained Mr. Green's indictment and verdict form; conducted searches of various "logical databases"; and requested that a Carroll County Sheriff's Office (CCSO) investigator interview [redacted] Mr. Green's [redacted]

According to our review, Mr. Green shot and killed Mr. Hill and shot and wounded [redacted] on August 20, 1965. As you told the FBI, shortly before the shooting, [redacted] Mr. Hill, [redacted] and [redacted] stopped at a gas station in Villa Rica. After [redacted] pumped gas, he and an unidentified white man began to argue and fight. When a second unidentified white man approached [redacted] Mr. Hill intervened. It was then that Mr. Green, an employee of the gas station, approached [redacted] firing his pistol. As Mr. Hill was getting back into the car, Mr. Green shot and fatally wounded him, and then shot [redacted] then drove a short distance to a hospital, but Mr. Hill was deceased by the time he arrived there.

(b)(7)(G) Mr. Green was indicted on a charge of manslaughter for killing Mr. Hill and on a charge of assault with intent to murder for shooting [redacted]. According to an October 14, 1965 article in the *Carroll County Georgian*, Mr. Green was acquitted of all charges. According to the article, two white men, [redacted] testified that they were stopped at a red light when a car occupied by five African-American men and women stopped in front of them and someone in the car "called [redacted] names." [redacted] then followed the other car to a gas station where the two groups began to argue. Mr. Green then told everyone to leave; [redacted] left, but [redacted] group did not. According to the article, Mr. Green gave an unsworn statement in which he claimed that Mr. Hill refused to leave, and "called him all sorts of names in the presence of women." Mr. Green stated further that Mr. Hill then reached to the floorboard of his car and Mr. Green saw the butt of a weapon. At that point, Mr. Green yelled at Mr. Hill, "don't do that." Mr. Green claimed that Mr. Hill replied, "I'm going to blow your guts out, you SOB," whereupon Mr. Green fired his pistol nine times, killing Mr. Hill and wounding [redacted]

Mr. Green died on January 3, 1973.

After careful review of this incident, we have concluded that the now deceased Mr. Green acted alone when he shot and killed Mr. Hill and shot and wounded [redacted] and, therefore, we have (b)(7)(C) no choice but to close our investigation. [redacted]



U.S. Department of Justice
Civil Rights Division

MJK:PR:SW:tc
144-13412

Criminal Section - PHB
930 Pennsylvania Avenue, NW
Washington, DC 20530

APR 08 2011

[REDACTED]
Anniston, AL 36201

Dear Messrs. [REDACTED]

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently opened an investigation into the circumstances surrounding the death of your son, [REDACTED] Thad Christian, on August 30, 1965. We have now concluded that investigation and wish to inform you in writing of our findings.

On August 30, 1965, Thad Christian was fatally shot by Robert Haynes, who was white. Earlier in the day, Mr. Christian went fishing with a friend beside a creek in Central City, west of Anniston. According to witness accounts, Mr. Haynes came by and told the men to leave. Mr. Haynes later returned to the area as Mr. Christian and his friend were putting their fishing gear in the car. Mr. Haynes pointed a shotgun out the window of his vehicle and fired a round, striking Mr. Christian in the abdomen.

Mr. Haynes pled guilty to first-degree manslaughter and was sentenced to five years in prison. His death certificate revealed that he was killed in an automobile accident in December 1968.

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2005, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death that occurred not later than December 31, 1969."

The federal review of Mr. Christian's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. As part of its investigation into the circumstances of Thad Christian's death, the FBI attempted to obtain the results of the local investigation into the matter from the Anniston Police Department, the Calhoun County District Attorney's Office, the Calhoun County Circuit Clerk's Office, the DeKalb County Jail, and the Alabama Bureau of Investigation. However, its few records that had been retained were damaged by water and illegible. The agents found a brief FBI investigative file from 1965 pertaining to this incident, which provided the factual account that is stated above. The FBI also contacted you to determine if you had any additional information regarding this matter.

After careful consideration, we have concluded that this matter does not constitute a prosecutable violation of the federal criminal rights statutes because the subject is deceased, and the evidence indicates that he acted alone when he fired upon your [REDACTED]. Additionally, the five-year statute of limitations that was in effect at the time of Mr. Christian's death has expired, precluding federal prosecution of this matter.

Please accept our sincere condolences on the loss of your [REDACTED]. We regret that we cannot be of further assistance to you.

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-41-3573

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

Brandon, MS 39042

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of (b)(7)(C) your [redacted] Robert McNair, on November 6, 1965. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the applicable five-year statute of limitations has expired and because, even if not barred by the statute of limitations, there is insufficient evidence to prove a violation of the relevant federal criminal civil rights statutes, beyond a reasonable doubt. Please accept our sincere condolences on the loss of your (b)(7)(C) [redacted]

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" --- a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning the deaths of your (b)(7)(C) [redacted] was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono Gamondi T. 05/24/11
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letters\Final\144_41_3573_McNair.wpd

(b)(7)(C) As part of its review of the circumstances of the deaths of your (b)(7)(C) the FBI interviewed the man who shot your (b)(7)(C) former Rankin County (b)(7)(C) and several other witnesses, including your (b)(7)(C) obtained records pertaining to (b)(7)(C) from the National Archives and Records Administration (NARA); contacted you and (b)(7)(C) as well as numerous Mississippi law enforcement officials; conducted searches of law enforcement databases, the Mississippi Department of Archives and History (MDAH), the Brandon library, the internet, the University of Southern Mississippi library records, and records of the SPLC; sent letters to both the SPLC and the NAACP requesting information; and solicited information about the case via a press release that was published in local newspapers and aired on local radio and television stations. The FBI also sought information concerning civil rights era racially-motivated homicides during the Veterans of the Mississippi Civil Rights Movement conferences in March 2009 and March 2010.

According to our review, on November 6, 1965, your (b)(7)(C) who was then 26 years old, was shot and killed by (b)(7)(C) in Palahatchie, Mississippi. (b)(7)(C) was interviewed by the FBI in May 2009 and stated that the shooting occurred when he tried to serve a warrant filed by (b)(7)(C) for child neglect. (b)(7)(C) claimed that he located Mr. McNair outside a "juke joint" (the club) and that Mr. McNair initially ran from him. (b)(7)(C) claimed further that when he caught Mr. McNair and was escorting him through a field of waist-high grass, Mr. McNair pulled out a knife, threatened him, and then lunged at him, whereupon he shot Mr. McNair once in self-defense.

According to (b)(7)(C) and a newspaper article, Pelahatchie Town Marshal Cooper Stingley and Night Marshal Pat Wade went with (b)(7)(C) to serve the warrant, but the FBI determined that Town Marshal Stingley and Night Marshal Wade are now deceased.

(b)(7)(C) told the FBI that there were no eyewitnesses to the shooting itself. The FBI located a civilian witness who stated that a man named Fred White was with Mr. McNair at the time of the shooting, however, Fred White is deceased. Another civilian witness told the FBI that he was at the club and saw (b)(7)(C) confront Mr. McNair and then run after him; (b)(7)(C) was reportedly holding a hand in a front pocket as he ran. The second civilian witness then heard two gunshots. Like the first civilian witness, the second witness also mentioned Fred White and said that Mr. White told people at the time that he had heard Mr. McNair tell (b)(7)(C) not to shoot him.

(b)(7)(C) told the FBI that he was charged, tried, and acquitted of murder charges. Moreover, (b)(7)(C) stated that the FBI investigated the shooting in 1965 and that he was interviewed by the FBI at the time. However, the FBI was not able to locate any records or articles referencing the trial. Further, although the FBI retrieved 1964 FBI records

referencing (b)(7)(C) those records did not pertain to an investigation of your (b)(7)(C) shooting. The 1964 records stated that a confidential informant had reported that (b)(7)(C) may have been a member of the Ku Klux Klan.

After careful review of this incident, we have concluded that the federal government cannot now bring a prosecution against the officer who killed your (b)(7)(C). Prior to 1994, federal criminal civil rights violations were not capital offenses, thereby subjecting them to a five-year statute of limitations. In 1994, some of these civil rights statutes were amended to provide the death penalty for violations resulting in death, thereby eliminating the statute of limitations. However, the *Ex Post Facto* Clause prohibits the retroactive application of the 1994 increase in penalties and the resultant change in the statute of limitations to the detriment of criminal defendants. While the Civil Rights Division has used non-civil rights statutes to overcome the statute of limitations challenge in certain cases, such as those occurring on federal land and kidnapping resulting in death, the facts of your (b)(7)(C) case do not lend themselves to prosecution under other statutes.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C).

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice

Civil Rights Division

MIKEPMF:SW:ta
144-2-1431

Criminal Section - FBI
250 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

MAR 28 2011

Tuskegee, Alabama 36083

Dear [REDACTED]:

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your relative, Samuel L. Youngs, Jr., on January 3, 1966. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the person who is responsible for Mr. Youngs's death, Marvin L. Segrest, is deceased. In addition, the five-year statute of limitations that was in effect at the time of Mr. Youngs's death has expired.

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative"—a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Brennert Till Unsolved Civil Rights Crime Act" ("Brennert Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death that occurred not later than December 31, 1959."

The federal review concerning Mr. Youngs's death was begun pursuant to the Cold Case Initiative and the Brennert Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. As part of its review of the circumstances of Mr. Youngs's death, the FBI researched and reviewed media articles from 1966; obtained the file of the Alabama Department of Public Safety, which conducted the local investigation; interviewed the local coroner and the local prosecutor who tried Segrest for second-degree murder; and conducted searches of Alabama death records.

According to our review, on January 3, 1966, Marvin L. Segrest, a gas station attendant, fatally shot Mr. Youngs beneath the left eye while Mr. Youngs was attempting to access the restroom. The local investigation revealed that Mr. Youngs got into an altercation with Segrest over whether he could use the indoor restroom. Mr. Youngs then retrieved a golf club from his friend's car with the apparent intention of using it as a weapon. Mr. Youngs then returned to the area outside the gas station and continued arguing with Segrest, who was armed with a gun. As Mr. Youngs ducked behind cars and a bus, Segrest fired a shot at him but missed. Mr. Youngs then ran towards an alley, at which time Segrest fired at him again, striking him in the face. Mr. Youngs fell to the ground and was pronounced dead at the scene.

In December 1966, Segrest was tried on the charge of murder in the second degree. An all-white Lee County, Alabama jury returned a verdict of "not guilty." A search of death records revealed that Segrest died in 1986, following an illness.

After careful review of this incident, we have concluded that the now-deceased Marvin Segrest acted alone when he pursued and shot Mr. Youngs. Additionally, the five-year statute of limitations that was in effect at the time of Mr. Youngs' death has expired. Therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Please accept our sincere condolences on the loss of your relative.

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-40-2149

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

MAY 27 2011

(b)(7)(C)

Kansas City, MO 64128

Dear (b)(7)(C)

(b)(7)(C) We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Adlena Hamlett, on January 11, 1966. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because there is insufficient evidence to indicate that a racially motivated homicide occurred. Please accept our sincere condolences on the loss of your (b)(7)(C)

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law, giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning your (b)(7)(C) death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono T. 05/18/11
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letters\Final\144_40_2149_Keglar.Hamlett.2.wpd

(b)(7)(C) This matter was originally referred from the NAACP, in the form of an April 2007, article titled "Still Burning," published in the British newspaper *The Guardian*. According to the article, on January 11, 1966, a car occupied by a group of voting-rights advocates crashed on a road near Sidon, Mississippi. Your (b)(7)(C) and her friend, Birdia Keglur, died in the crash. The driver of the car, Grafton Gray; and the other two passengers, Jessie James Brewer and (b)(7)(C) were injured but survived. The accident occurred when the car occupied by your (b)(7)(C) and Ms. Keglur was struck by another car, driven by Brown Bruce, Jr.; Mr. Bruce also survived the accident. According to the *Guardian* article, one of Ms. Keglur's (b)(7)(C) (b)(7)(C) questioned whether the crash was accidental.

(b)(7)(C) As part of its review of the circumstances of your (b)(7)(C) death the FBI interviewed (b)(7)(C) (b)(7)(C) who was in the car with your (b)(7)(C) on the day of her death; Ms. Dailey; (b)(7)(C) (b)(7)(C) Ms. Keglur's (b)(7)(C) and one of Ms. Keglur's (b)(7)(C) Additionally, the FBI received three documents, including the accident report, from (b)(7)(C) The FBI also contacted (b)(7)(C) various Mississippi law enforcement and government officials; conducted searches of the records of the FBI, the SPLC, the Mississippi Department of Archives and History (MDAH), the University of Memphis Library, the *Greenwood Commonwealth* newspaper at the Leflore County Library, the *Clarion Ledger* newspaper, the *Bolivar Commercial* newspaper, the University of Southern Mississippi library, and the Internet for relevant references and media articles; and sent letters to the SPLC and the NAACP requesting information.

According to our review, on January 11, 1966, your (b)(7)(C) Ms. Keglur, Mr. Gray, Mr. Brewer, and (b)(7)(C) traveled to Jackson, Mississippi. According to (b)(7)(C) and (b)(7)(C) your (b)(7)(C) trip was a secret one and unknown parties may have found out about it who should not have. According to (b)(7)(C) the purpose of the trip was to view a film produced by the U.S. Commission on Civil Rights (USCCR). As you know, your mother, Ms. Keglur, and Mr. Brewer testified before the USCCR's in its February 1965 "Hearings on Denial of Equal Protection of the Laws in Mississippi," that took place in Jackson. The film depicted parts of the testimony. Additionally, one of the letters you provided to the FBI was a letter from the USCCR to your (b)(7)(C) inviting her to view a first showing of the film on January 11, 1966.

According to (b)(7)(C) on the return trip from Jackson, Mr. Gray was driving and your (b)(7)(C) and Ms. Keglur were sitting in the front seat; (b)(7)(C) and Mr. Brewer were sleeping in the back seats. The car was on Highway 49B, somewhere between Sidon and Cruger, when it was struck by a drunk driver (Mr. Bruce). The impact caused the hood of car to break loose and move through the windshield, fatally injuring your (b)(7)(C) and Ms. Keglur. (b)(7)(C) (b)(7)(C) stated that he and Mr. Bruce were transported via ambulance to a hospital in nearby Greenwood, Mississippi, while a hearse transported Mr. Gray and Mr. Brewer to the same hospital.

On March 3, 2007, (b)(7)(C) at Tulane University in New Orleans, recorded an interview with the funeral home employee, who reportedly responded to the accident scene to retrieve your (b)(7)(C) and Ms. Keglur's bodies. (b)(7)(C) asked the

funeral home employee whether he recalled Ms. Kegljar. [REDACTED]

[REDACTED]
(b)(7)(C)

According to the Mississippi Highway Patrol (MHP) accident report, [REDACTED] provided to the FBI, the cars involved in the crash were traveling in opposite directions and impacted head-on. The driver of the other car, Mr. Bruce, was charged with driving on the wrong side of the road. The report does not indicate whether or not Mr. Bruce was drunk, however it does indicate that the road at the accident site and time was straight, level, and dry, and that it was dark but neither driver's vision was obstructed.

(b)(7)(C)

According to (b)(7)(C) while Mr. Gray, her great uncle, was in the hospital he was the target of veiled threats from unidentified sources. (b)(7)(C) told the FBI that Mr. Gray came home from the hospital "profoundly changed" and never spoke about the accident. Similarly, Ms. Kegljar's (b)(7)(C) told the FBI that she learned from Mr. Brewer's (b)(7)(C) that he too never discussed the accident.

The FBI determined that Mr. Gray died on December 21, 1990, Mr. Brewer died on July 19, 1998, and Mr. Bruce died on August 28, 1996. Thus, (b)(7)(C) is the lone living survivor of the accident. (b)(7)(C) questions (b)(7)(C) account of the incident, however, and continues to believe that there is relevant information missing. Ultimately, the federal investigation has failed to uncover sufficient evidence to contradict (b)(7)(C) account or to identify any suspects.

After careful review of this incident, we have concluded that there is insufficient evidence to establish that your (b)(7)(C) death constitutes a racially motivated homicide and, therefore, it is not covered by the Emmett Till Act and, therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C)

Sincerely,

Palge M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-40-2149

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

MAY 27 2011

(b)(7)(C)
Charleston, MS 38921

Dear (b)(7)(C):

(b)(7)(C) We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Birdia Keglir, on January 11, 1966. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because there is insufficient evidence to indicate that a racially motivated homicide occurred. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning your (b)(7)(C) death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono T. 05/18/11
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(b)(7)(C) This matter was originally referred from the NAACP, in the form of an April 2007, article titled "Still Burning," published in the British newspaper *The Guardian*. According to the article, on January 11, 1966, a car occupied by a group of voting-rights advocates crashed on a road near Sidon, Mississippi. Your (b)(7)(C) and her friend, Adlena Hamlett, died in the crash. The driver of the car, Grafton Gray; and the other two passengers, Jessie James Brewer and (b)(7)(C) were injured but survived. The accident occurred when the car occupied by (b)(7)(C) and Ms. Hamlett was struck by another car, driven by Brown Bruce, Jr.; Mr. Bruce also survived the accident. According to the *Guardian* article, one of your (b)(7)(C) (b)(7)(C) questioned whether the crash was accidental.

As part of its review of the circumstances of your (b)(7)(C) death the FBI interviewed you; (b)(7)(C) who was in the car with your (b)(7)(C) on the day of her death; (b)(7)(C); and one of your (b)(7)(C). Additionally, the FBI received three documents, including the accident report, from (b)(7)(C) Ms. Hamlett's (b)(7)(C). The FBI also contacted various Mississippi law enforcement and government officials; conducted searches of the records of the FBI, the SPLC, the Mississippi Department of Archives and History (MDAH), the University of Memphis Library, the *Greenwood Commonwealth* newspaper at the Leflore County Library, the *Clarion Ledger* newspaper, the *Bolivar Commercial* newspaper, the University of Southern Mississippi library, and the internet for relevant references and media articles; and sent letters to the SPLC and the NAACP requesting information.

According to our review, on January 11, 1966, your (b)(7)(C) Ms. Hamlett, Mr. Gray, Mr. Brewer, and (b)(7)(C) traveled to Jackson, Mississippi. According to (b)(7)(C) and (b)(7)(C) (b)(7)(C) your (b)(7)(C) trip was a secret one and unknown parties may have found out about it who should not have. According to (b)(7)(C) the purpose of the trip was to view a film produced by the U.S. Commission on Civil Rights (USCCR). As you know, your (b)(7)(C) Ms. Hamlett, and Mr. Brewer testified before the USCCR's in its February 1965 "Hearings on Denial of Equal Protection of the Laws in Mississippi," that took place in Jackson. The film depicted parts of the testimony. (b)(7)(C) Ms. Hamlett's (b)(7)(C) provided to the FBI a letter from the USCCR to her (b)(7)(C) inviting her to view a first showing of the film on January 11, 1966.

(b)(7)(C) According to (b)(7)(C) on the return trip from Jackson, Mr. Gray was driving and your (b)(7)(C) and Ms. Hamlett were sitting in the front seat; (b)(7)(C) and Mr. Brewer were sleeping in the back seats. The car was on Highway 49B, somewhere between Sidon and Cruger, when it was struck by a drunk driver (Mr. Bruce). The impact caused the hood of the car to break loose and move through the windshield, fatally injuring your (b)(7)(C) and Ms. Hamlett. (b)(7)(C) (b)(7)(C) stated that (b)(7)(C) and Mr. Bruce were transported via ambulance to a hospital in nearby Greenwood, Mississippi, while a hearse transported Mr. Gray and Mr. Brewer to the same hospital.

On March 3, 2007, (b)(7)(C) at Tulane University in New Orleans, recorded an interview with the funeral home employee, who reportedly responded to the accident scene to retrieve your (b)(7)(C) and Ms. Hamlett's bodies. (b)(7)(C) asked the

funeral home employee whether he recalled your (b)(7)(C) (b)(7)(C)

(b)(7)(C)

According to the Mississippi Highway Patrol (MHP) accident report, provided to the FBI by (b)(7)(C) the cars involved in the crash were traveling in opposite directions and impacted head-on. The driver of the other car, Mr. Bruce, was charged with driving on the wrong side of the road. The report does not indicate whether or not Mr. Bruce was drunk, however it does indicate that the road at the accident site and time was straight, level, and dry, and that it was dark but neither driver's vision was obstructed.

According to (b)(7)(C) while Mr. Gray was in the hospital he was the target of veiled threats from unidentified sources. (b)(7)(C) told the FBI that Mr. Gray came home from the hospital "profoundly changed" and never spoke about the accident. Similarly, your (b)(7)(C) (b)(7)(C) told the FBI that she learned from Mr. Brewer's (b)(7)(C) that he too never discussed the accident.

The FBI determined that Mr. Gray died on December 21, 1990, Mr. Brewer died on July 19, 1998, and Mr. Bruce died on August 28, 1996. Thus, (b)(7)(C) is the lone living survivor of the accident. (b)(7)(C) questions (b)(7)(C) account of the incident, however, and continues to believe that there is relevant information missing. Ultimately, the federal investigation has failed to uncover sufficient evidence to contradict (b)(7)(C) account or to identify any suspects.

After careful review of this incident, we have concluded that there is insufficient evidence to establish that your (b)(7)(C) death constitutes a racially motivated homicide and, therefore, it is not covered by the Emmett Till Act and, therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C)

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

BM:PP:CG
144-36-989

Civil Rights Division - PHH
1930 Pennsylvania Avenue, NW
Washington, DC 20530

MAY 27 2011

[REDACTED]
Cincinnati, OH 45237

Dear [REDACTED]:

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your [REDACTED] Collier Hampton, on August 14, 1968. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the applicable five-year statute of limitations has expired and because, even if not barred by the statute of limitations, there is insufficient evidence to prove a violation of the relevant federal criminal civil rights statutes, beyond a reasonable doubt. In addition, the individuals implicated in your [REDACTED]'s death were tried and acquitted of this crime in state court, which bars further state prosecution. Please accept our sincere condolences on the loss of your [REDACTED].

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emanuel Till Unsolved Civil Rights Crime Act" ("Emanuel Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

per Records... Chrono... T. 5/18/11

[REDACTED]

The federal review concerning your [REDACTED] death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

As part of its review of the circumstances of your [REDACTED]'s death, the FBI obtained the investigative materials pertaining to the local investigation by the Kentucky State Police (KSP); Clark Circuit Court and Eastern District of Kentucky District Court records, and a number of contemporaneous *Winchester Sun* newspaper articles. The FBI also conducted searches of DMV records.

According to our review, on August 14, 1966, at about 2:00 a.m., Winchester, Kentucky, Police Department (WPD) [REDACTED] and [REDACTED] followed your [REDACTED] Collier Hampton, into his home with their guns drawn, reportedly to arrest him for "breach of the peace." The officers claimed that as Mr. Hampton retreated into his home, he kept his right hand in his pants pocket and threatened to shoot them if they entered his home. According to the officers, [REDACTED] slapped Mr. Hampton, while [REDACTED] maneuvered behind Mr. Hampton. Mr. Hampton then grabbed [REDACTED] gun hand, whereupon [REDACTED] yelled, "he has my gun" and [REDACTED] fired a shot aiming at Mr. Hampton's legs, but wounding [REDACTED] in the left hip, instead. Upon hearing the shot, [REDACTED] and [REDACTED] fired at Mr. Hampton, fatally wounding him in the chest. (b)(7)(c)

At the request of WPD [REDACTED], the KSP initiated an investigation within an hour of the shooting. [REDACTED] and [REDACTED] were arrested the night of August 15, 1966, and [REDACTED] the next day; all four officers were released on \$5000 bonds.

An autopsy, conducted on August 14, 1966, at the University of Kentucky Medical Center in Lexington, Kentucky, determined that your [REDACTED] had four gunshot wounds to the chest - two entrance wounds and two exit wounds.

On August 26, 1966, a local Coroner's Inquest returned a verdict of homicide, having concluded that Mr. Hampton had died as a result of a gunshot wound to the heart; the jury did not determine who had fired the fatal shot.

[REDACTED] assisted in the state prosecution of the officers. The officers were indicted on September 14, 1966 on state murder charges.

The local trial started on December 13, 1966 in the 11th Judicial District. All four officers testified, and gave accounts as described above. A civilian witness testified that Mr.

Hampton shot his front door and the officers kicked the door open. As the witness stood in the doorway of Mr. Hampton's home, she saw [REDACTED] slap Mr. Hampton, who then grabbed [REDACTED]. The witness heard a gunshot and saw [REDACTED] fall to the floor. The witness left and immediately heard two gunshots.

A second civilian witness testified that [REDACTED] told Mr. Hampton that he had a warrant for his arrest (when in fact, he had not). Although it is not clear whether he testified as much at the trial, according to an August 26, 1966, *Wichita Sun* newspaper article, the second witness had previously testified at the Coroner's Inquest that he too was in the doorway of Mr. Hampton's home when [REDACTED] was shot and, like the first civilian witness, left immediately and did not witness the victim's shooting.

Additionally, the prosecution called [REDACTED] who testified he had found a closed pocket knife in Mr. Hampton's right front pocket. A KSP Laboratory Chemist testified that Mr. Hampton's BAC was 0.28%. A KSP firearms examiner testified that the three bullets recovered by investigators were too mutilated to be definitively matched to any particular firearm, and that [REDACTED] gun had not been fired. On December 16, 1966, the jury acquitted the officers.

As you know, in March 1967, [REDACTED] filed a federal civil suit [REDACTED]. On March 28, 1968, following a two-day trial, the federal jury returned a verdict in favor of the officers.

After careful review of this incident, we have concluded that the federal government cannot now bring a prosecution against the officers who killed you, [REDACTED]. First, prior to 1994, federal criminal civil rights violations were not capital offenses, thereby subjecting them to a five-year statute of limitations. In 1994, some of these civil rights statutes were amended to provide the death penalty for violations resulting in death, thereby eliminating the statute of limitations. However, the *Ex Post Facto* Clause prohibits the retroactive application of the 1994 increase in penalties and the resultant change in the statute of limitations to the detriment of criminal defendants. While the Civil Rights Division has used non-civil rights statutes to overcome the statute of limitations challenge in certain cases, such as those occurring on federal land and kidnapping resulting in death, the facts of your [REDACTED] case do not lend themselves to prosecution under other statutes.

Furthermore, because the officers involved in your [REDACTED]'s death have already been tried and acquitted for this crime in state court, jeopardy has attached and they cannot be retried in state court.

Accordingly, we have no choice but to close our investigation.

- 4 -

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your [REDACTED]

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:SW:mj
144-2-1428

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

APR 28 2010

Wetumpka, AL 36092

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) James Earl Motley, on November 20, 1966. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the person responsible for Mr. Motley's death, Harvey Corner, is deceased. Please accept our sincere condolences on the loss of your (b)(7)(C)

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death that "occurred not later than December 31, 1969."

The federal review concerning Mr. Motley's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono

(b)(7)(C)

T. 04/12/10

(b)(7)(C)

As part of its review of the circumstances of Mr. Motley's death, the FBI researched and reviewed media articles from 1966 and 1967; obtained the file of the Alabama Department of Public Safety (DPS) which conducted the local investigation; obtained the 1967 FBI and DOJ files; and conducted searches of Alabama death records.

According to our review, on November 20, 1966, James Motley was a passenger in a car that Elmore County Sheriff's Office (ECISO) Deputy Harvey Conner stopped for a traffic violation. During the course of the traffic stop, Mr. Motley told Deputy Conner that he did not have jurisdiction because the traffic violation had occurred in a different county. Deputy Conner was reportedly offended by this comment and ordered Mr. Motley to exit the vehicle. Mr. Motley complied, but told Deputy Conner that he could not arrest the driver of the car. Deputy Conner ordered the victim to sit inside his patrol car. Mr. Motley refused, and he and Deputy Conner walked up the highway approximately 100 yards.

Mr. Motley's friends all stated that they heard a single gunshot and saw the flash from Deputy Conner's gun go down towards the ground as if Deputy Conner had fired a warning shot. Mr. Motley then complied with Deputy Conner's request to sit inside the patrol car. When backup units arrived at the scene, Mr. Motley exited the patrol car at Deputy Conner's request. Deputy Conner then hit Mr. Motley in the head several times with a slapjack. Mr. Motley fell onto the trunk of the car, then slid to the ground. As he did so, Mr. Motley reached out and grabbed Deputy Conner's shirt. Deputy Conner hit Mr. Motley in the head again with the slapjack.

(b)(7)(O) who had responded to the scene pursuant to Deputy Conner's call for backup, stated that (b)(7)(C) searched Mr. Motley and found a knife in his pocket. Deputy Conner then grabbed Mr. Motley and told him that he would teach him not to disobey a law enforcement officer. Deputy Conner grabbed a slapjack and struck Mr. Motley in the head with it several times, causing Mr. Motley to bleed profusely.

Deputy Conner transported Mr. Motley to the jail and told (b)(7)(O) to carry Mr. Motley inside and wash the blood from the patrol car. The (b)(7)(C) stated that they found Mr. Motley outside the patrol car, unconscious and covered in blood, with two holes on the side of his head. They carried the victim into a jail cell, whereupon the victim rolled off the top bunk and struck his head on the floor. According to 1962 FBI investigative reports, (b)(7)(C) who was not mentioned in the state files, stated that as Mr. Motley exited the police car at the jail, he stumbled, struck his head on a metal post, and fell to the ground.

A physician who was called to the jail to treat Mr. Motley pronounced him dead shortly thereafter. An autopsy revealed that Mr. Motley died from brain injuries and had multiple skull

fractures. The coroner concluded that Mr. Motley's head injuries could have resulted from the blows from the slapjack, the fall to the ground outside the jail, or the fall from the bunk bed. Accordingly, the coroner classified Mr. Motley's death as "accidental."

In January 1967, a state grand jury declined to indict Deputy Conner on charges of homicide. Deputy Conner was also charged with violating 18 U.S.C. § 242, the federal criminal civil rights statute, and tried in federal district court. The jury returned a not guilty verdict on April 12, 1967.

In addition to the findings described above, the federal investigation determined that Mr. Conner died on November 5, 1980.

After careful review of this incident, we have concluded that the now deceased Harvey Conner acted alone when he assaulted the victim and therefore, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences on the loss of your (b)(7)(C)

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:FF:CG
144-19M-1757

Criminal Section - PND
950 Pennsylvania Avenue, NW
Washington, DC 20530

APR 12 2010

(b)(7)(C)

Albany, GA 31701

Dear

(b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Alphonso Harris, on December 1, 1966, in Albany, Georgia. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the circumstances of your brother's death do not indicate that a racially motivated homicide occurred. Moreover, the person responsible for your (b)(7)(C) death (b)(7)(C) was prosecuted by the state for crimes associated with the shooting. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

cc: Records

Chrono

(b)(7)(C)

Fitzgerald

T, 04/12/10

(b)(7)(C)

The federal review concerning Mr. Harris's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

As part of its review of the circumstances of Mr. Harris's death, the FBI researched records in the Mississippi Department of Archives and History (MDAH); contacted an Albany court, Albany police officials, and the Marine Corps; and obtained a local newspaper article and Mr. Harris's death certificate.

According to our review, on December 1, 1966, (b)(7)(C) shot and killed Alphonso Harris, while the two men were grappling over a pistol belonging to (b)(7)(C). The shooting occurred outside the Les Ames Club in Albany. The incident reportedly began when a man named (b)(7)(C) bumped into (b)(7)(C) girlfriend inside the club and they began to argue. Sometime during the argument, (b)(7)(C) exited the club, and retrieved a pistol from his car. (b)(7)(C) then approached the table where Mr. Harris was sitting with three other men and told them that he thought he was about to be shot. Mr. Harris and the three other men exited the club with Mr. Toomer and ran into (b)(7)(C) who was returning to the club, armed with a pistol. (b)(7)(C) fired one shot into the ground. He and Mr. Harris then began struggling over the pistol. During the struggle, the pistol discharged twice and Mr. Harris sustained a fatal gunshot wound to the stomach and (b)(7)(C) sustained a gunshot wound to a thigh. According to local court records, (b)(7)(C) was charged in March 1967 with carrying a weapon without a permit. He pled guilty in May 1967, and paid a \$200 fine and \$45 in court costs.

After careful review of this incident, we have concluded that your (b)(7)(C) shooting does not constitute a racially motivated homicide and, therefore, is not within the purview of the Emmett Till Act. Accordingly, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C).

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative



U.S. Department of Justice
Civil Rights Division

RM:PF:KS:hb
144-55-1053

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

Indianapolis, IN 46254

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Dr. George Washington Singleton, Jr., on April 30, 1957. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because there is insufficient evidence to indicate that a racially motivated homicide occurred. Please accept our sincere condolences on the loss of your (b)(7)(C)

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Dr. Singleton's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

As part of its review of the circumstances of Dr. Singleton's death, the FBI obtained and reviewed the results of the North Carolina State Bureau of Investigation (SBI) and Shelby Police Department investigation, and attempted to locate all pertinent witnesses interviewed by the SBI

in 1957. Only one witness was located and interviewed. The remaining 29 witnesses were either deceased or could not be located using a variety of public and law enforcement databases available to FBI investigators. The FBI also queried appropriate state, local, and federal agencies for any additional records which might still exist as a result of the original investigation, and sent letters to the NAACP requesting information.

According to our review, on April 30, 1957, Dr. George Washington Singleton, Jr., was killed in an explosion and fire in his second-story office suite in Shelby, North Carolina. The local investigation revealed that, had Dr. Singleton not vacated the building by May 1, 1957, eviction proceedings would have commenced. Dr. Singleton's car was parked in front of the office building, packed with clothing and belongings. Further, personal papers and records had been removed from the office and were located on the dining room table in Dr. Singleton's home, including insurance policies in the amount of \$6000 covering "office medical equipment, including books and supplies." An accelerate, gasoline, was discovered at the scene of the fire, and latent fingerprints recovered from a can of gas recovered at the scene matched those of Dr. Singleton. The medical examiner determined that Dr. Singleton died as the result of his third-degree burns and found no evidence of foul play.

The NAACP conducted an independent inquiry into Dr. Singleton's death to determine whether it was racially motivated, but found nothing to indicate that this was the case.

After careful review of this incident, we have concluded that there is insufficient evidence to indicate that your (b)(7)(C) death constitutes a racially motivated homicide and, therefore, is not covered by the Emmett Till Act. Accordingly, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C).

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative

(b)(7)(C)



U.S. Department of Justice
Civil Rights Division

RM:PP:SW:mj
144-3-1434

Criminal Section - PNR
950 Pennsylvania Avenue, NW
Washington, DC 20530

MAY 02 2010

(b)(7)(C)

Eight Mile, Alabama 36613

Dear (b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Rodell Williamson, on or around May 19, 1967. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because there is insufficient evidence to indicate that a racially motivated homicide occurred. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative," -- a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 36 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the Initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death that "occurred not later than December 31, 1969."

The federal review concerning Mr. Williamson's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

cc: Records Chrono (b)(7)(C) Fitzgerald T. 04/30/10

(b)(7)(C)

As part of its review of the circumstances of your brother's death, the FBI obtained newspaper articles from 1967; the 1967 FBI file; and a copy of Mr. Williamson's autopsy report. Due to the extended time period (42 years) between the incident and the initiation of the current federal investigation, and the lack of searchable computerized records from that area, Wilcox County officials were unable to locate any existing local reports pertaining to Mr. Williamson's death.

According to our review, on May 22, 1967, Mr. Williamson's body was found floating in the Alabama River near Camden, Alabama. Mr. Williamson's body was snagged in a fisherman's trot line and clad only in trousers. The two fishermen who discovered Mr. Williamson's body, and a special deputy who helped recover it, subsequently told FBI investigators that there were no marks on it or injuries to it. The autopsy report also indicates that there was no evidence of physical trauma to Mr. Williamson's head, body or brain. Muddy water and debris from the river was found in Mr. Williamson's lungs, which shows that he was still breathing when he entered the river, and the cause of death was likely drowning. The manner of death was classified as accidental. A toxicological analysis of Mr. Williamson's blood revealed an extremely high alcohol level (0.32 gram percent).

The 1967 FBI file indicates that the investigation was opened at the request of the Alabama Branch of the NAACP. (b)(7)(C) stated that an individual named (b)(7)(C) saw Mr. Williamson walking down the road past (b)(7)(C)'s house just before dark on May 19, 1967. A few minutes later, (b)(7)(C) saw a state trooper car traveling in the same direction as Mr. Williamson was walking. While (b)(7)(C) did not see the car stop, he heard a car door slam shortly after the car had passed. It may be that this individual's surname was wrongly reported and that the actual surname was (b)(7)(C). (the (b)(7)(C) Mr. Williamson's (b)(7)(C)). In any event, it does not appear that the FBI located or interviewed (b)(7)(C) although they did interview (b)(7)(C).

Mr. Williamson's (b)(7)(C) told FBI investigators that she had no idea what happened to Mr. Williamson, but felt that he probably met with foul play because he had been attending civil rights mass meetings and enticing people to vote. (b)(7)(C) stated that she heard that on the night of May 20, 1967, a woman named (b)(7)(C) saw Mr. Williamson walking past her house on the blacktop road north of Lower Peachtree, Alabama. (b)(7)(C) stated that she also heard that (b)(7)(C) saw a state trooper car just as Mr. Williamson walked past her house and heard a door slam. (b)(7)(C) stated further that (b)(7)(C), who identified Mr. Williamson's body, said that Mr. Williamson's neck was so swollen that he thought it may have been broken.

The FBI subsequently contacted (b)(7)(C) who stated that she had not seen the victim on the night of May 20, 1967. (b)(7)(C) did not confirm or deny the presence of a state trooper car on her street that night.

Neither the 1967 FBI investigation nor the 2008 review produced evidence to indicate that your (b)(7)(C) death was other than accidental or to substantiate the allegation made by (b)(7)(C) that Mr. Williamson was the victim of foul play because of his involvement in the civil rights movement.

After careful review of this incident, we have concluded that there is insufficient evidence to indicate that your (b)(7)(C) death constitutes a racially motivated homicide. Therefore, it is not covered by the Emmett Till Act. Accordingly, we have no choice but to close our investigation.

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences on the loss of your (b)(7)(C)

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative

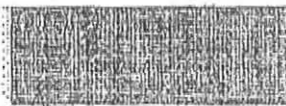


U.S. Department of Justice

Civil Rights Division

MLK:PP&D/sam
144-72-2240

Criminal Section - PHH
930 Pennsylvania Avenue, NW
Washington, DC 20530



Memphis, TN 38125

Dear [REDACTED]

We are writing to inform you and your family that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your [REDACTED] 16-year-old Lary Payne, on March 28, 1968 at the Fowler Homes in Memphis. As we explain below, after careful review and consideration of these circumstances, we have reached the conclusion that the available evidence does not allow the federal government to pursue a prosecution for a violation of federal criminal civil rights statutes. The results of our review are summarized below.

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" -- a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Mr. Payne's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced civil rights prosecutor.

As part of its review of the circumstances of Mr. Payne's death, the FBI interviewed civilian witnesses and also obtained contemporaneous newspaper articles, the report of the Memphis Police Department (MPD) and documents from the court file of the federal civil lawsuit filed by your parents. DOJ personnel identified and retrieved the closed file stored at the National Archives and reviewed the file which were generated during the 1968 investigation described below.

As you are already aware, the FBI had opened a contemporaneous investigation two days after Mr. Payne's death. FBI agents interviewed numerous witnesses and obtained documentary evidence including photographs and diagrams. The FBI submitted its report as well as the report of the Memphis Police Department to the U.S. Department of Justice (DOJ). During this federal investigation, [REDACTED] examined the relevant locations, including the Sears and Roebuck Store, the route to the housing complex and the boiler room entrance,

In addition, records indicate that then-Deputy Assistant Attorney General of the Civil Rights Division Jim Turner was in Memphis shortly after Mr. Payne died to speak with community activists and witnesses to the incident. Members of the Tennessee Advisory Committee to the United States Commission on Civil Rights (USCCR) also discussed the incident with Deputy Assistant Attorney General Turner. There was significant attention in the media as part of its coverage of the widespread civil disturbances at the time.

In 1971, the DOJ closed its investigation noting that the evidence "cannot disprove subject's claim of self-defense." At that time, then-U.S. Attorney Robinson, concurred with closing the investigation, adding that the shooting was "obviously executed in self-defense on the part of the police officer."

It is important to remember that we are obligated to analyze the evidence according to the legal standards of 18 U.S.C. § 242, the applicable federal criminal civil rights statute, which requires that the government be able to prove, beyond a reasonable doubt, that the officer willfully used more force than he reasonably could have believed was necessary under the circumstances. According to case law, the reasonableness of the amount of force used is determined from the perspective of a reasonable officer on the scene. The law also requires that the government must prove beyond a reasonable doubt that the officer willfully intended to use excessive force. "Willfully" means that the officer did not act out of mistake, misperception, or even bad judgment. Another way "willfulness" is often described is to say that the officer knew that what he was doing was wrong, but that he did it anyway. Thus, the conclusion reached has to be based on an analysis of the evidence using these standards.

The following summary of the events is based on our careful review of all of the above documents and the additional investigation. On the morning of March 28, 1968, Mr. Payne and at least one friend joined hundreds of young people to skip school and travel to downtown Memphis. There was a great deal of tension and activity because of the ongoing strike by sanitation workers and an impending visit by the Rev. Dr. Martin Luther King, Jr. The gathering soon culminated in a civil disturbance with a violent police reaction, along with widespread looting. Coincidentally, Mr. Payne was photographed just hours before the shooting, as he stood near a building with windows apparently broken due to vandalism. In the photograph, he is

holding a stick and watching a police officer use a baton to strike his friend who is on the ground. After a few hours, Mr. Payne left the downtown area and returned to the Fowler Homes housing complex, where he was a familiar member of the community.

Upon arriving at the apartment complex, Mr. Payne ran to one of the buildings where he opened the door and entered the boiler room in the basement. The boiler room door was on ground level, followed by three concrete interior steps descending downward into the basement. He was followed to the doorway by [REDACTED] of the Memphis Police Department who had seen him on the street and believed that he had stolen a television.

According to [REDACTED] he was still in his patrol car when he saw Mr. Payne run to the basement of one of the buildings and close the door behind him. The officer got out of his patrol car and ran to within 10 feet of the door, when Mr. Payne suddenly opened the door. The officer ordered Mr. Payne to come out with his hands up but instead Mr. Payne jumped back inside and pulled the door shut. The officer came within five feet of the door and "hollered" several times for the victim to open the door. After several seconds, the door again opened and Mr. Payne started out of the door with his left side and left hand coming out first. His right hand remained on the inside door handle as he came out. [REDACTED] yelled three or four times for Mr. Payne to raise his hands. The officer held his shotgun in his right hand, pointing it towards Mr. Payne. He then reached with his left hand in order to turn Mr. Payne around and take him into custody. At that same time, Mr. Payne's right hand suddenly became visible and the officer spotted a blade about 6 or 8 inches long. Mr. Payne began to make a motion towards the officer who fired his weapon one time. Mr. Payne fell down into the stairwell, near the door, and the knife fell into the basement.

When other officers arrived, [REDACTED] picked up the knife and told his partner that he felt he had to shoot because "he drew a knife on me." Within minutes, [REDACTED] showed a responding [REDACTED] the powder burns on his own left hand, explaining that he had been reaching out towards Mr. Payne at the time he fired. [REDACTED] told the [REDACTED] that if he had not fired, "he would have killed me." Seven civilians at the scene overheard the officer mention the knife held by Mr. Payne. While still at the scene, the officer said he "hated" to have to shoot.

Because, as you know, the shooting occurred around noon in a tightly-knit housing complex with a dense population, there were about 25 residents and friends who reported that they witnessed either the entire or partial aspects of the incident. These witnesses have been interviewed at least once and sometimes twice, by either the Memphis Police Department or by the Federal Bureau of Investigation.

Most of these residents were acquainted with, or knew of, your [REDACTED] and your family members, including your mother who arrived at the scene. Though at the time of the incident, none of the residents observed a knife in Mr. Payne's hand, many of them reported that while still at the scene, they either overheard the officer talk about the knife or that they saw the knife on the ground. The witnesses were generally gathered in a few different locations, none of which allowed a direct unobstructed view into the interior basement stairwell where the shooting occurred. Eight of the witnesses were nearly a block away, at the opposite end of the courtyard, and their view was obstructed by the open door of the basement. Others were on the second or third floor balconies above the doorway, which would have prevented a clear line of sight into the basement stairwell. Still other witnesses were scattered at various locations in the complex, and had their attention drawn to the scene only after hearing the gunshot. Understandably, all of

the witnesses were terribly distraught at the fact that a young man known to them had been fatally shot by a police officer, and many engaged in intense conversation about their accounts as well as expressed anger at the officers. Also many witnesses' accounts were in conflict either in significant ways or in small ways with those of other witnesses, which is not unusual after a fast moving event that is viewed from many different vantage points. Thus, it is to be expected that in any prosecution, for the above reasons, the witnesses' accounts would be substantially vulnerable to cross-examination and could not solely be relied upon as the basis of a prosecution.

Moreover, the physical evidence does not refute the account provided by the officer. The autopsy diagram shows that the location of the gunshot wound matched the location of gunpowder flecking on the arm if the arm was in a raised position.

The investigation further noted that a Memphis grand jury declined to indict the officer and that the civil lawsuit brought by your parents was dismissed after a jury found in favor of the officer.

Our careful analysis of the record described above has led to the conclusion that the evidence simply does not provide an adequate basis for a federal criminal or civil rights prosecution, where the government would have to meet the legal standard described above, of proof beyond any reasonable doubt that the officer acted willfully when he fired his weapon. It should be noted that even if the evidence were sufficient to establish willfulness on the part of [REDACTED] we would nonetheless be barred from pursuing this matter as a federal criminal civil rights matter, because the applicable federal statute of limitations has expired. In 1968, criminal civil rights violations were not capital offenses and accordingly, were subject to a five-year statute of limitations. Years later, in 1994, some of these civil rights statutes, including 18 U.S.C. § 242, were amended to provide the death penalty for violations resulting in death, thereby eliminating the five-year statute of limitations. However, this change was not retroactive, and therefore, any prosecution for your brother's death would have had to have been pursued within five years. The first investigation by the Department of Justice undertaken in 1968 did conclude within the five years, with the decision that there was not enough evidence upon which to bring a prosecution. Our review has not identified any additional source of federal jurisdiction that would allow the Civil Rights Division to pursue a prosecution.

Again, please accept our sincere condolences to you and to your family for the loss of your [REDACTED]. We recognize that your terrible loss will never be resolved by any actions taken within the legal system but we hope that you are assured that we have examined this case as thoroughly as possible. We regret that we cannot be of further assistance to you.

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge
of the Cold Case Initiative

[REDACTED]